

OFFICIAL JOURNAL
OF THE
HOUSE OF
REPRESENTATIVES
OF THE
STATE OF LOUISIANA

TWENTIETH DAY'S PROCEEDINGS

Thirty-second Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974

House of Representatives
State Capitol
Baton Rouge, Louisiana

Tuesday, May 2, 2006

The House of Representatives was called to order at 2:00 P.M., by the Honorable Joe R. Salter, Speaker of the House of Representatives.

Morning Hour

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. Speaker	Faucheux	Montgomery
Alario	Frith	Morrell
Alexander	Gallot	Morrish
Ansardi	Geymann	Odinet
Arnold	Glover	Pierre
Badon	Gray	Pinac
Baldone	Greene	Pitre
Barrow	Guillory, E.	Powell, M.
Baudoin	Guillory, M.	Powell, T.
Baylor	Hammett	Quezaire
Beard	Harris	Richmond
Bowler	Heaton	Ritchie
Bruce	Hebert	Robideaux
Bruneau	Hill	Romero
Burns	Honey	Scalise
Burrell	Hopkins	Schneider
Carter, K.	Hunter	Smiley
Carter, R.	Hutter	Smith, G.
Cazayoux	Jackson	Smith, J.D.—50th
Crane	Jefferson	Smith, J.H.—8th
Cravins	Johns	Smith, J.R.—30th
Crowe	Katz	St. Germain
Curtis	Kennard	Strain
Damico	Kenney	Thompson
Daniel	Kleckley	Toomy
DeWitt	LaBruzzo	Townsend
Doerge	LaFleur	Trahan
Dorsey	LaFonta	Triche
Dove	Lambert	Waddell
Downs	Lancaster	Walker
Durand	Marchand	Walsworth

Erdey
Fannin
Farrar
Total - 102

Martiny
McDonald
McVea

White
Winston
Wooton

ABSENT

Dartez
Total - 2

Tucker

The Speaker announced that there were 102 members present and a quorum.

Prayer

Prayer was offered by Rep. Fannin.

Pledge of Allegiance

Rep. Jackson led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Rep. Farrar, the reading of the Journal was dispensed with.

On motion of Rep. Waddell, and under a suspension of the rules, the Journal of May 1, 2006, was corrected to reflect him as voting nay on final passage of House Bill No. 1013.

On joint motion of Reps. Burns, Elcie Guillory, Mickey Guillory, and Honey, and under a suspension of the rules, the Journal of May 1, 2006, was corrected to reflect them as voting nay on final passage of House Bill No. 1164.

On motion of Rep. Greene, and under a suspension of the rules, the Journal of May 1, 2006, was corrected to reflect him as voting nay on final passage of House Bill No. 649 and House Bill No. 1134.

On motion of Rep. Ritchie, the Journal of May 1, 2006, was adopted.

**Petitions, Memorials and
Communications**

The following petitions, memorials, and communications were received and read:

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

May 2, 2006

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has concurred in the following House Concurrent Resolutions:

House Concurrent Resolution No. 147
Returned without amendments

House Concurrent Resolution No. 148
Returned without amendments

House Concurrent Resolution No. 149
Returned without amendments

House Concurrent Resolution No. 152
Returned without amendments

House Concurrent Resolution No. 153
Returned without amendments

Page 2 HOUSE

20th Day's Proceedings - May 2, 2006

House Concurrent Resolution No. 154
Returned without amendments

House Concurrent Resolution No. 156
Returned without amendments

House Concurrent Resolution No. 157
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS

May 2, 2006

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 60, 61, and 62

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

SENATE BILLS

May 2, 2006

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill Nos. 26, 160, 417, 635, and 732

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Senate Bills and Joint Resolutions on First Reading

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

SENATE BILL NO. 26— BY SENATOR DUPRE

AN ACT

To enact R.S. 49:213.1(E) and 213.4(A)(7), and to repeal that portion of Section 3 of Act No. 1 of the 2006 First Extraordinary Session of the Legislature enacting R.S. 49:213.1(E) and 213.4(A)(7), relative to the Coastal Protection and Restoration Authority; to provide relative to its powers, duties, and functions; to authorize the authority to serve as the single entity responsible to act as local sponsor for certain projects relative

to hurricane protection and flood control; to authorize the authority to enter into certain contracts relative to hurricane protection and flood control projects; and to provide for related matters.

Read by title.

SENATE BILL NO. 160— BY SENATOR JONES

AN ACT

To enact 4-C of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1051 through 1054, relative to establishing an alliance among states effected by hurricanes Katrina and Rita; to provide for the purpose of restoring and revitalizing the states of Mississippi, Alabama, Louisiana and Texas; to provide for an alliance between states and agree to the alliance on behalf of Louisiana; and to provide for related matters.

Read by title.

SENATE BILL NO. 417— BY SENATOR BAJOE

AN ACT

To enact Part VI of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1181, relative to kidney disease; to require that clinical laboratories determine the estimated glomerular filtration rate of certain patients; and to provide for related matters.

Read by title.

SENATE BILL NO. 635— BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 49:214.32(B) and (D), and 214.41(A)(6), and to enact R.S. 49:214.22(8), 214.32(C)(8), and 214.41(A)(7), relative to coastal resources; to provide relative to coastal resources management; to provide relative to the coastal zone; to provide relative to coastal zone management; to provide certain terms, conditions, definitions, requirements, functions, and procedures; and to provide for related matters.

Read by title.

SENATE BILL NO. 732—

BY SENATORS CAIN, DUPRE AND B. GAUTREAUX AND REPRESENTATIVES HEBERT, T. POWELL AND TOWNSEND

AN ACT

To amend and reenact R.S. 22:1430.3(A)(5), (B), and (C), 1430.6(B)(2), (C), and (D)(1) and (6), 1430.14, 1430.15, and 1441.13, and to enact 1430.3(A)(12),(13), and (F), 1430.6(D)(7), (8) and (G), 1430.22 and 1430.23, relative to the Louisiana Citizens Property Insurance Corporation; to provide for changes in the membership and duties of the board of directors; to add additional board members; to add additional criteria to the appointment of certain board members; to change the number to establish a quorum; to provide for the term of service for each board member; to establish a procedure for hiring certain employees; to require the purchase of adequate reinsurance; to require certain reports to be delivered to the legislative insurance committees; to provide binding authority to certain insurance agents; to provide a preference to Louisiana vendors, adjusters and adjusting firms; to prohibit payments to multiple adjusters to adjust a single claim; and to provide for related matters.

Read by title.

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

May 2, 2006

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has concurred in the following House Concurrent Resolutions:

House Concurrent Resolution No. 141
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Senate Bills and Joint Resolutions on Second Reading to be Referred

The following Senate Bills and Joint Resolutions on second reading to be referred were taken up, read, and referred to committees, as follows:

SENATE BILL NO. 51—
BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 9:374(C), relative to divorce; to provide relative to the possession and use of certain property by spouses; to provide relative to possession and use of movable property; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Civil Law and Procedure.

SENATE BILL NO. 79—
BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 30:2195.2(A)(1)(c)(ii), and (3), 2195.4(A), and 2195.10 and to enact R.S. 30:2195.9(A)(6); relative to the Motor Fuels Underground Storage Tank Trust Fund; to provide relative to financial obligations of tank owners for environmental damage resulting from releases; authorizes the Department of Environmental Quality to file liens in lieu of tank owners paying deductibles on underground storage tanks; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Environment.

SENATE BILL NO. 154—
BY SENATOR N. GAUTREAUX

AN ACT

To enact R.S. 9:348, relative to children; to provide relative to visitation orders; to provide for missed visitation due to certain military active duty; to require compensatory days of visitation in such instances; to require negotiation between parents; to provide for court intervention in certain circumstances; to authorize court-ordered mediation; to provide for definitions; and to provide for related matters.

Read by title.

Motion

Rep. Frith moved that Senate Bill No. 154 be designated as a duplicate of House Bill No. 1124.

Which motion was agreed to.

Rep. Frith moved that Senate Bill No. 154 be amended to conform with House Bill No. 1124 and sent up the following floor amendments:

HOUSE FLOOR AMENDMENTS

Conforming amendments proposed by Representative Frith to Reengrossed Senate Bill No. 154 by Senator N. Gautreaux (Duplicate of House Bill No. 1124)

AMENDMENT NO. 1

On page 1, line 6, after "mediation;" insert "to provide relative to court costs;"

AMENDMENT NO. 2

On page 1, line 15, delete the comma "," after "including"

AMENDMENT NO. 3

On page 2, at the end of line 1, delete the period "." and insert "or the Louisiana Code of Military Justice."

AMENDMENT NO. 4

On page 2, line 6, change "day for day" to "day-for-day"

AMENDMENT NO. 5

On page 2, line 11, after "(2)" insert "(a)"

AMENDMENT NO. 6

On page 2, after line 17, insert the following:

"(b) The court may render judgment for court costs against either party or may apportion such costs between the parties as it may consider equitable."

On motion of Rep. Frith, the amendments were adopted.

Motion

On motion of Rep. Frith, the above bill, as amended, was referred to the Legislative Bureau.

SENATE BILL NO. 237—
BY SENATOR MALONE

AN ACT

To amend and reenact R.S. 30:136(A)(1)(a) and (b), relative to state mineral leases; to require certain payments to the office of mineral resources to be paid by check or electronic wire transfer; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Natural Resources.

SENATE BILL NO. 238—
BY SENATOR MALONE

AN ACT

To amend and reenact R.S. 30:209.1(B) and 213(A), relative to the State Mineral Board; to allow for the use of certain confidential geological information and data; to provide for certain conditions, procedures and penalties; and to provide for related matters.

Page 4 HOUSE

20th Day's Proceedings - May 2, 2006

Read by title.

Under the rules, the above bill was referred to the Committee on Natural Resources.

SENATE BILL NO. 250— BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 30:2022(B)(1) and (2), relative to the Department of Environmental Quality; to provide for the processing and review of permit applications for new facilities and applications for substantial permit modifications; to provide that certain administrative completeness review on permit application is to be made within sixty days after the application is submitted; to provide that a final decision on a permit is to be made within three hundred days after the application is submitted; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Environment.

SENATE BILL NO. 289— BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 15:574.20(A), relative to parole; to provide with respect to medical parole; to require medical parole consideration of inmates determined to be permanently incapacitated or terminally ill; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

SENATE BILL NO. 359— BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 32:361.1(G), relative to motor vehicles; to increase the penalties for violating certain window tinting provisions; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Transportation, Highways and Public Works.

SENATE BILL NO. 427— BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 18:461(B), relative to qualifying for election; to provide relative to qualifying for multiple office in the same qualifying period; to provide that the last qualifying papers filed by a candidate is determinative of the office for which he is a candidate; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on House and Governmental Affairs.

SENATE BILL NO. 428— BY SENATORS AMEDEE AND MARIONNEAUX

AN ACT

To amend and reenact R.S. 13:691(B)(3), and to enact R.S. 13:10.4, relative to judges; to provide with regard to the level of payment of premiums for health insurance for judges; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Judiciary.

SENATE BILL NO. 450— BY SENATOR JACKSON

AN ACT

To enact R.S. 46:2605(B)(41) and to repeal R.S. 46:2605(B)(17) and (35), relative to the Children's Cabinet Advisory Board; to provide for members of such board; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

SENATE BILL NO. 535— BY SENATOR N. GAUTREAUX

AN ACT

To amend and reenact R.S. 22:1137(A)(13), relative to life insurance, including funeral benefits; to authorize certain insurance producers to sell life insurance policies; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Insurance.

SENATE BILL NO. 605— BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 40:2009.11(B)(2)(b), 2199(B)(2)(b) and (F)(1), to enact R.S. 40:2199.1, and to repeal R.S. 40:2009.11(B)(3) and 2199(B)(3), relative to nursing homes and health care facilities; to amend Class B violations for nursing homes and other health care facilities licensed or certified by the Department of Health and Hospitals; to delete monthly aggregate fines for nursing homes or other health care facilities; to provide that monies collected for violations by health care facilities, other than nursing homes, be placed into a special trust fund; to provide for use of those monies; to provide for additional remedies against health care facilities which have repeated violations; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

SENATE BILL NO. 614— BY SENATOR BAJOE

AN ACT

To amend and reenact R.S. 46:2116, 2116.1(2), the introductory paragraph of 2116.1(3) and (3)(e) and (5), 2116.2(A) and (B)(1), (2), (3) and (4), the introductory paragraph of (C) and (C)(1), (2), and (3), and (D)(1) and (2), 2116.3(A), 2116.5(A) and (D), relative to the personal care assistants program; to provide for flexibility by Department of Social Services, office of rehabilitation services for the standards of eligibility; to provide for definitions for individuals determined to be in need of personal care assistants; provides for members to the advisory panel to develop criteria for prioritization; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

SENATE BILL NO. 640—
BY SENATOR DUPLESSIS

AN ACT

To enact R.S. 33:4711.1, relative to the sale of surplus movable property; to authorize Internet sales by political subdivisions; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

SENATE BILL NO. 691—
BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 24:513(F), (G), (H), (I), (J), (K), (L), and (M) and to enact R.S. 24:513(N), relative to audit of certain entities; to provide for an audit of private water supply systems receiving public funds; to provide for the authority of the legislative auditor; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on House and Governmental Affairs.

SENATE BILL NO. 693—
BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 22:1401(J)(2) and (3)(a), relative to property and casualty insurance rates; to provide for the Louisiana Insurance Rating Commission; to repeal flexible rating; to provide for procedures; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Insurance.

SENATE BILL NO. 707—
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 22:1220(A), (B), and (C), relative to insurance claims; to provide for settlements; to provide for duties; to provide for penalties; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Insurance.

SENATE BILL NO. 733—
BY SENATORS BROOME, CRAVINS, CAIN AND ROMERO

AN ACT

To amend and reenact R.S. 22:2044, relative to certain indemnity trust funds; to provide authority for indemnification or payment for physical damage and collision coverage arising from the operation of tow trucks; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Insurance.

**House and House Concurrent Resolutions
Reported by Committee**

The following House and House Concurrent Resolutions reported by committee were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 65—
BY REPRESENTATIVE GARY SMITH

A CONCURRENT RESOLUTION

To direct the Department of Public Safety and Corrections, office of state police, in conjunction with the Louisiana Highway Safety Commission to conduct a public awareness campaign informing the public that the left lane on multilane highways is for passing and to request state police to impose penalties for violations as provided by law.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Quezaire, the resolution was ordered engrossed and passed to its third reading.

HOUSE CONCURRENT RESOLUTION NO. 80—
BY REPRESENTATIVE JEFFERSON

A CONCURRENT RESOLUTION

To urge and request the Coastal Protection and Restoration Authority to study technology and strategies that are available and might be used to establish an integrated system of water management and hurricane protection in south Louisiana and to report its findings to the House and Senate Committees on Transportation, Highways and Public Works and to the Legislature of Louisiana prior to the 2008 Regular Session.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Concurrent Resolution No. 80 by Representative Jefferson

AMENDMENT NO. 1

On page 1, line 2, after "TO" and before "the" delete "direct" and insert "urge and request"

AMENDMENT NO. 2

On page 1, line 5, after "findings" and before "to" insert the following:

"to the House and Senate Committees on Transportation, Highways and Public Works and"

AMENDMENT NO. 3

On page 2, at the beginning of line 15, delete "direct" and insert "urge and request"

AMENDMENT NO. 4

On page 2, line 17, after "to the" and before "Legislature" insert "House and Senate Committees on Transportation, Highways and Public Works and to the"

AMENDMENT NO. 5

On page 2, line 24, after "hereby" and before "to assign" delete "directed" and insert "requested"

Page 6 HOUSE

20th Day's Proceedings - May 2, 2006

On motion of Rep. Quezaire, the amendments were adopted.

On motion of Rep. Quezaire, the resolution, as amended, was ordered engrossed and passed to its third reading.

House Bills and Joint Resolutions on Second Reading Reported by Committee

The following House Bills and Joint Resolutions on second reading reported by committee were taken up and acted upon as follows:

HOUSE BILL NO. 60—

BY REPRESENTATIVE GRAY

AN ACT

To enact Part VI of Chapter 6 of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:1801 through 1842 and to repeal Part III of Chapter 6 of Title 13 of the Louisiana Revised Statutes of 1950, comprised of R.S. 13:1700 through 1724, relative to child custody; to create the Uniform Child Custody Jurisdiction and Enforcement Act; to provide for definitions; to provide for the application; to provide for jurisdiction; to provide for enforcement; to provide for registration; to provide for appeals; to repeal the Uniform Child Custody Jurisdiction Act; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 60 by Representative Gray

AMENDMENT NO. 1

On page 7, at the end of line 27, change the period "." to a comma "," and insert "and"

On motion of Rep. Ansardi, the amendments were adopted.

On motion of Rep. Ansardi, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 90—

BY REPRESENTATIVE GRAY

AN ACT

To amend and reenact Children's Code Articles 625, 644(A)(5), 684(D), (E), (F), and (G), 694(B), and 704(B) and to enact Children's Code Articles 644(A)(6) and (7) and 682(B)(4), relative to the diligent search for absent parents; to provide for the responsibility of parents involved in certain juvenile court proceedings to notify the department and their counsel of their whereabouts; to provide for the duty of a curator ad hoc to give notice to parents of their responsibility to keep their whereabouts known to their counsel and the department; to provide for the duty of parents to notify the court and counsel of contact information of alternative caregivers for their child; to provide for giving notice to persons before the court of their responsibility to give contact information of the parents and alternative caregivers; to provide for duties of the department; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

On motion of Rep. Ansardi, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 127—

BY REPRESENTATIVE BOWLER

AN ACT

To amend and reenact Civil Code Article 136 and R.S. 9:344, relative to visitation of children; to provide a declaration of state policy; to provide a procedure for a relative seeking visitation; to provide for the definition of a relative; to provide for an award of visitation; to provide an exclusive list of persons who may seek visitation; to provide for the burden of proof; to provide factors for determining a visitation award; to require written reasons for a visitation order; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 127 by Representative Bowler

AMENDMENT NO. 1

On page 1, insert "(On Recommendation of the Louisiana State Law Institute)"

AMENDMENT NO. 2

On page 1, at the end of line 11, after "visitation" insert "rights"

AMENDMENT NO. 3

On page 1, line 13, after "visitation" and before "unless" insert "rights"

AMENDMENT NO. 4

On page 2, line 11, after "~~siblings~~" and before "relatives" change "with" to "by"

AMENDMENT NO. 5

On page 3, line 5, change "their children visit" to "visit their children"

AMENDMENT NO. 6

On page 3, line 7, after "visitation" and before "extended" change "with" to "by"

AMENDMENT NO. 7

On page 3, line 9, after "visitation" and before "relatives" change "of" to "by"

AMENDMENT NO. 8

On page 3, delete lines 10 and 11 in their entirety

AMENDMENT NO. 9

On page 3, at the beginning of line 12, change "C." to "B."

AMENDMENT NO. 10

On page 3, line 20, after "parents" and before the comma "," insert "except as provided in Paragraphs (1) and (2) of this Subsection"

AMENDMENT NO. 11

On page 3, at the beginning of line 22, change "D. When a" to "C. When either"

AMENDMENT NO. 12

On page 3, line 22, after "incarcerated." and before "is" insert "or"

AMENDMENT NO. 13

On page 3, line 23, change "person, or is temporarily absent for at least six months," to "person as defined in Civil Code Article 47,"

AMENDMENT NO. 14

On page 3, at the end of line 23, delete "that" and insert "the child, who is related to the child through that parent, or a relative as defined in Paragraph (B)(2) of this Section"

AMENDMENT NO. 15

On page 3, at the beginning of line 24, delete "parent"

AMENDMENT NO. 16

On page 3, line 26, change "parent with custody of the child" to "other parent" and after "proves" and before "by" insert a comma ","

AMENDMENT NO. 17

On page 3, line 27, after "evidence" and before "that" insert a comma ","

AMENDMENT NO. 18

On page 4, at the beginning of line 1, change "E." to "D." and after "of a" delete the remainder of the line

AMENDMENT NO. 19

On page 4, at the beginning of line 2, delete "custody of a" and after "marriage" and before "may" insert "who is related to the child through a parent not granted custody or a relative as defined in Paragraph (B)(2) of this Section"

AMENDMENT NO. 20

On page 4, line 3, after "evidence" and before "that" insert a comma ","

AMENDMENT NO. 21

On page 4, line 4, after "child" delete the comma "," and after "proves" and before "by" insert a comma ","

AMENDMENT NO. 22

On page 4, line 5, after "evidence" and before "that" insert a comma ","

AMENDMENT NO. 23

On page 4, at the end of line 7, change "person" to "relative"

AMENDMENT NO. 24

On page 4, at the beginning of line 9, change "F." to "E."

AMENDMENT NO. 25

On page 5, at the beginning of line 1, change "G." to "F."

AMENDMENT NO. 26

On page 5, line 7, change "parent" to "parents"

AMENDMENT NO. 27

On page 5, at the end of line 10, after "child" and before the period "." insert "and the relative"

AMENDMENT NO. 28

On page 5, line 13, after "have" and before "to" insert "available"

AMENDMENT NO. 29

On page 5, delete lines 19 through 23 in their entirety and insert the following:

"G.(1) In granting or denying visitation in accordance with this Section, the court shall give its findings of fact and reasons for judgment, in writing or recited in open court in a manner susceptible of being transcribed from the record. The court shall state all factors considered in reaching its decision.

(2) An order granting or denying visitation shall be in writing.

(3) Except for good cause shown, the relative granted visitation shall be responsible for the transportation of the child and the costs thereof.

(4) The relative granted visitation shall allow communication between the parent and the child during visitation.

On motion of Rep. Ansardi, the amendments were adopted.

On motion of Rep. Ansardi, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 186—

BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact R.S. 9:392(A)(introductory paragraph) and to enact R.S. 9:392(A)(7)(c), relative to the acknowledgment of paternity; to require the disclosure of certain information prior to the execution of an acknowledgment; to prohibit the suspension of certain responsibilities and obligations; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

On motion of Rep. Ansardi, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

Page 8 HOUSE

20th Day's Proceedings - May 2, 2006

HOUSE BILL NO. 189—

BY REPRESENTATIVE ANSARDI AND SENATOR LENTINI
AN ACT

To amend and reenact Civil Code Article 196, relative to the acknowledgment of paternity; to delete the presumption; to clarify that acknowledgments are legal findings of paternity; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

On motion of Rep. Ansardi, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 265—

BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact R.S. 9:334, relative to child custody; to provide for the qualifications of mediators in child custody proceedings; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

On motion of Rep. Ansardi, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 266—

BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact Children's Code Article 439(B) and to enact Children's Code Article 439(F)(7) and (H) through (K), relative to qualifications of a mediator for juvenile court disputes; to provide for mandatory qualifications and continuing education; to provide for the establishment and maintenance of a register of qualified mediators; to provide for the assessment of reasonable fees; to provide for definitions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

On motion of Rep. Ansardi, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 322—

BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact Civil Code Article 196 and Code of Civil Procedure Article 1061(B) and Children's Code Article 116(17) and R.S. 9:392(A)(introductory paragraph) and (7), 396(A)(1)(introductory paragraph), (B)(1), and (C)(1), 398.2(A)(1), and 400(A)(4), R.S. 40:34(B)(1)(h)(i), and R.S. 46:121(3)(b), to enact R.S. 9:392.1 and Part II of Chapter 1 of Code Title VII of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:401 through 406, and to repeal R.S. 9:305, 395.1, 400(A)(2), and 400.1, relative to the filiation of parents and children; to provide changes in terminology; to provide for exceptions to compulsory reconventional demands; to provide for contestation and disavowal of paternity actions;

to provide for the effect of contestation and disavowal judgments on child support, custody, and visitation orders; to provide for an acknowledgment of paternity; to provide for blood tests; to provide for the suspension of prescription for disavowal action; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 322 by Representative Ansardi

AMENDMENT NO. 1

On page 1, line 2, after "reenact" and before "Code" insert "Civil Code Article 196 and"

AMENDMENT NO. 2

On page 1, line 5, after "enact" and before "R.S." insert "R.S. 9:392.1 and Part II of Chapter 1 of Code Title VII of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of"

AMENDMENT NO. 3

On page 1, between lines 13 and 14, insert the following:

"Section 1. Civil Code Article 196 is hereby amended and reenacted to read as follows:

Art. 196. Formal acknowledgment; presumption

A man may, by authentic act or by signing the birth certificate, acknowledge a child not filiated to another man. The acknowledgment creates a presumption that the man who acknowledges the child is the father. The presumption can be invoked only on behalf of the child. Except in those cases handled by the Department of Social Services, as otherwise provided by law, the acknowledgment does not create a presumption in favor of the man who acknowledges the child. In those support and visitation cases handled by the Department of Social Services, the acknowledgment is deemed to be a legal finding of paternity and is sufficient to establish an obligation to support the child and to establish visitation without the necessity of obtaining a judgment of paternity."

AMENDMENT NO. 4

On page 1, at the beginning of line 14, change "Section 1." to "Section 2."

AMENDMENT NO. 5

On page 2, at the beginning of line 1, change "Section 2." to "Section 3."

AMENDMENT NO. 6

On page 2, at the beginning of line 11, change "Section 3." to "Section 4."

AMENDMENT NO. 7

On page 2, line 13, after "R.S." and before "9:401" insert "9:392.1 and Part II of Chapter 1 of Code Title VII of Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S."

AMENDMENT NO. 8

On page 2, line 17, after the comma "," and before "the party" insert "to"

AMENDMENT NO. 9

On page 3, line 1, change "or ~~material mistake of fact, error,~~" to "or material mistake of fact, or error,"

AMENDMENT NO. 10

On page 3, between lines 3 and 4, insert the following:

"§392.1. Acknowledgment; obligation to support; visitation

In child support and visitation cases, the acknowledgment of paternity by authentic act is deemed to be a legal finding of paternity and is sufficient to establish an obligation to support the child and to establish visitation without the necessity of obtaining a judgment of paternity.

* * *

AMENDMENT NO. 11

On page 5, between lines 3 and 4, insert the following:

"PART II. FILIATION"

AMENDMENT NO. 12

On page 5, line 23, after "visitation" and before "if" delete "rights"

AMENDMENT NO. 13

On page 6, line 4, after the period "." and before "action" change "Contestation" to "Father's paternity"

AMENDMENT NO. 14

On page 6, line 5, after "shall" and before "apply" delete "not"

AMENDMENT NO. 15

On page 6, line 9, after "paternity" and before "is" delete "by authentic act"

AMENDMENT NO. 16

On page 6, at the end of line 10, change "a child born" to "the child and to establish visitation"

AMENDMENT NO. 17

On page 6, at the beginning of line 11, delete "outside of marriage"

AMENDMENT NO. 18

On page 6, line 23, after "duress," and before "or" insert "material mistake of fact"

AMENDMENT NO. 19

On page 7, at the beginning of line 1, change "Section 4." to "Section 5."

AMENDMENT NO. 20

On page 7, at the beginning of line 21, change "Section 5." to "Section 6."

AMENDMENT NO. 21

On page 8, at the beginning of line 7, change "Section 6." to "Section 7."

AMENDMENT NO. 22

On page 8, at the beginning of line 9, change "Section 7." to "Section 8."

On motion of Rep. Ansardi, the amendments were adopted.

On motion of Rep. Ansardi, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 450—

BY REPRESENTATIVE PITRE

A JOINT RESOLUTION

Proposing to amend Article VI, Section 42(A) and to add Article I, Section 4(G) of the Constitution of Louisiana, to provide relative to the taking of property; to provide relative to the compensation paid for certain takings of property; to provide that compensation paid for the taking of, or loss or damage to, property rights affected by certain flood control projects shall be governed by the Fifth Amendment of the United States Constitution; to specify an election for submission of the proposition to electors and provide a ballot proposition; and to provide for related matters.

Read by title.

Reported without amendments by the Committee on Civil Law and Procedure.

On motion of Rep. Ansardi, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 601—

BY REPRESENTATIVE ANSARDI

AN ACT

To amend and reenact R.S. 9:315.4 and R.S. 46:236.8(A), (B)(1)(introductory paragraph), (c), (e), (f), and (C), (E), (F), and (G)(6) and to enact R.S. 9:315(C)(8), relative to child support; to provide for the definition of medical support; to require medical support orders; to provide changes in terminology; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

On motion of Rep. Ansardi, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 654—

BY REPRESENTATIVES DOERGE AND RICHMOND

AN ACT

To enact Children's Code Articles 1024.1 and 1036.2, relative to the involuntary termination of parental rights; to provide for the payment of transportation costs; to require the incarcerated

Page 10 HOUSE

20th Day's Proceedings - May 2, 2006

parent to provide a reasonable plan for the appropriate care of his child; to require the Department of Social Services to notify the incarcerated parent of his duty; to provide time limitations; to provide for the assessment of the plan; to provide a standard notification form; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 654 by Representative Doerge
AMENDMENT NO. 1

On page 2, line 12, after "incarcerated" and before the comma "," insert "in this state"

On motion of Rep. Ansardi, the amendments were adopted.

On motion of Rep. Ansardi, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 690—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To enact Chapter 13-B of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1441 through 1449, relative to consumer protection against computer spyware; to provide for definitions; to provide for spyware prohibitions; to provide for control or modification; to provide for misrepresentation; to provide for nonapplicability; to provide for criminal enforcement and penalties; to provide for civil relief; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

On motion of Rep. Pinac, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 732—

BY REPRESENTATIVE MARCHAND
AN ACT

To amend and reenact R.S. 37:1431(30), relative to the real estate commission; to provide for a definition; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Original House Bill No. 732 by Representative Marchand

AMENDMENT NO. 1

On page 1, line 2, after "37:1431(30)" delete "and 1467(A)"

AMENDMENT NO. 2

On page 1, line 3, after "definition;" delete "to provide for dual agency disclosure;"

AMENDMENT NO. 3

On page 1, line 6, after "37:1431(30)" delete "and 1467(A) are" and insert in lieu thereof "is"

AMENDMENT NO. 4

On page 1, line 16, after "attorney" and before the period "." insert "in fact"

AMENDMENT NO. 5

On page 1, delete lines 18 through 20 in their entirety.

AMENDMENT NO. 6

On page 2, delete lines 1 through 4 in their entirety.

On motion of Rep. Pinac, the amendments were adopted.

On motion of Rep. Pinac, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 758—

BY REPRESENTATIVE ALARIO

A JOINT RESOLUTION

Proposing to amend Article VII, Section 10.11(A) of the Constitution of Louisiana, relative to tobacco securitizations; to provide for the deposit of a portion of the proceeds of a tobacco securitization in the Louisiana Coastal Restoration Fund; to repeal the conditions on the deposit of securitization proceeds in the Louisiana Coastal Restoration Fund; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Engrossed House Bill No. 758 by Representative Alario

AMENDMENT NO. 1

On page 3, at the beginning of line 1, change "Authorizes portion of" to "Requires twenty percent of the"

AMENDMENT NO. 2

On page 3, at the beginning of line 2, insert "the" and after "repeals" and before "conditions" insert "the"

On motion of Rep. Ansardi, the amendments were adopted.

On motion of Rep. Ansardi, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 778—

BY REPRESENTATIVE HUNTER

AN ACT

To amend and reenact R.S. 46:236.16(A) and to enact R.S. 9:315.26, relative to child support; to provide for the collection of past due child support; to authorize the recordation of liens on motor vehicles owned by a party owing past due support; to provide recordation of judgments; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 778 by Representative Hunter

AMENDMENT NO. 1

On page 1, at the beginning of line 2, after "To" and before the comma ",", change "enact R.S. 9:315.26" to "amend and reenact R.S. 46:236.16(A) and to enact R.S. 9:315.26"

AMENDMENT NO. 2

On page 1, line 10, after "judgment" delete the remainder of the line

AMENDMENT NO. 3

On page 1, at the beginning of line 11, delete "obligor owns a motor vehicle or"

AMENDMENT NO. 4

On page 1, line 12, after "a" and before "lien" delete "first"

AMENDMENT NO. 5

On page 1, after line 19, insert the following:

"Section 2. R.S. 46:236.16(A) is hereby amended and reenacted to read as follows:

§236.16. Child support mortgage and privilege by affidavit; effect of filing

A. The director of support enforcement services, office of family support, Department of Social Services may cause a "Child Support Mortgage and Privilege by Affidavit of DSS", as provided in R.S. 13:4291(B), to be recorded in the mortgage records of any parish in which the support obligor owns movable or immovable property, except titled motor vehicles, and with the office of the secretary of state for inclusion in the master index authorized under R.S. 10:9-519. Such affidavit when filed shall operate as a ~~first~~ lien, privilege, and legal mortgage on all of the movable and immovable property of the support obligor from the date of such filing only, and shall not affect liens, privileges, chattel mortgages, or security interests as provided in R.S. 10:9-101 et seq. or mortgages already affecting or burdening such property at the date of such filing. Such filing shall apply to all unpaid support obligations that may accrue after such filing, and the property of the support obligor shall be subject to seizure and sale for the payment of such support obligation and arrearages according to the preference and rank of the lien, privilege, security interest, and mortgage securing their payment. ~~Notwithstanding any provision of this Subsection, such~~ The affidavit shall ~~not~~ operate as a lien, privilege, or legal mortgage on any

licensed or titled motor vehicle provided the lien is recorded in the office of motor vehicles in accordance with R.S. 32:708.

* * *

On motion of Rep. Ansardi, the amendments were adopted.

On motion of Rep. Ansardi, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 904—

BY REPRESENTATIVE SCALISE

AN ACT

To amend and reenact Children's Code Article 1169(3) and (5), relative to adoption; to provide for the definition of child; to provide that a child is a person under the age of eighteen for purposes of adoption; to provide for a citation correction; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 904 by Representative Scalise

AMENDMENT NO. 1

On page 1, insert "(On Recommendation of the Louisiana State Law Institute)"

On motion of Rep. Ansardi, the amendments were adopted.

On motion of Rep. Ansardi, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 993—

BY REPRESENTATIVE LAMBERT

AN ACT

To amend and reenact R.S. 32:735 and 737(A)(introductory paragraph) and (2), (4), (10), and (11), (B), and (C) and R.S. 47:532.1(A)(1) and to enact R.S. 32:737(A)(12), relative to auto title companies; to provide for the contracting of auto title companies; to provide for surety bond requirements; to provide for contracts; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Original House Bill No. 993 by Representative Lambert

AMENDMENT NO. 1

On page 1, delete line 3, and insert "and (11), (B), and (C) and R.S. 47:532.1(A)(1) and to enact R.S. 32:737(A)(12), relative to auto"

Page 12 HOUSE

20th Day's Proceedings - May 2, 2006

AMENDMENT NO. 2

On page 1, line 8, after "reenacted and" delete the remainder of the line and insert "R.S. 32:737(A)(12) is"

AMENDMENT NO. 3

On page 2, delete line 28 and on page 3, delete lines 1 through 6

AMENDMENT NO. 4

On page 4, after line 14, insert the following:

"Section 2. R.S. 47:532.1(A)(1) is hereby amended and reenacted to read as follows:

§532.1. Public license tag agents; auto title companies; rules and regulations; surety bonds; fees

A.(1) The commissioner may establish a system of public license tag agents to collect the registration license taxes authorized by this Chapter. The system shall consist of municipal and parish governing authorities or new motor vehicle dealers or their agents licensed pursuant to the provisions of R.S. 32:1254 and authorized auto title companies ~~licensed~~ pursuant to the provisions of R.S. 32:735 et seq.

* * *

On motion of Rep. Pinac, the amendments were adopted.

On motion of Rep. Pinac, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1011—

BY REPRESENTATIVES ROBIDEAUX, BURRELL, FRITH, GARY SMITH, TRAHAN, WADDELL, AND WALSWORTH

AN ACT

To enact R.S. 51:1783(10), relative to the Louisiana Enterprise Zone Act; to define the term "residential type development"; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

On motion of Rep. Pinac, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1055—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 40:1646 and to enact Subpart D-3 of Part III of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1651 through 1666, and to repeal Subpart D of Part III of Title 40 of the Louisiana Revised Statutes of 1950, comprised of 1625 through 1638, Subpart E of Part III of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1651 through 1661, and Subpart F of Part III of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1662.1 through 1662.19, relative to life safety and property protection licensing; to provide for definitions; to provide for licensure; to provide for exemptions from licensing; to provide for a firm license; to provide for an individual license; to provide for background checks; to provide for fees; to provide for powers and duties of fire marshal; to provide for advisory board; to provide for prohibited acts; to provide for revocation of license; to provide for penalties; to provide for effect on local

regulation; to provide for effective date; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Commerce.

The substitute was read by title as follows:

HOUSE BILL NO. 1371 (Substitute for House Bill No. 1055 by Representative Pinac)—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 40:1646 and to enact Subpart D-3 of Part III of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1664.1 through 1664.16, and to repeal Subpart D of Part III of Title 40 of the Louisiana Revised Statutes of 1950, comprised of 1625 through 1638, Subpart E of Part III of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1651 through 1661, and Subpart F of Part III of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1662.1 through 1662.19, relative to life safety and property protection licensing; to provide for definitions; to provide for licensure; to provide for exemptions from licensing; to provide for a firm license; to provide for an individual license; to provide for background checks; to provide for fees; to provide for powers and duties of fire marshal; to provide for an advisory board; to provide for prohibited acts; to provide for revocation of license; to provide for penalties; to provide for effect on local regulation; to provide for effective date; and to provide for related matters.

Read by title.

On motion of Rep. Pinac, the substitute was adopted and became House Bill No. 1371 by Rep. Pinac, on behalf of the Committee on Commerce, as a substitute for House Bill No. 1055 by Rep. Pinac.

Under the rules, lies over in the same order of business.

HOUSE BILL NO. 1179—

BY REPRESENTATIVE FANNIN

AN ACT

To amend and reenact R.S. 32:387.10(A)(3), relative to special permits allowing operation of oversize and overweight trucks and combination vehicles; to provide relative to the limitations on a vehicle transporting certain logging equipment pursuant to such a permit; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 1179 by Representative Fannin

AMENDMENT NO. 1

On page 1, at the beginning of line 18, insert the following:

"The maximum width on such truck, trailer, and the load thereon shall not exceed ~~twelve~~ fourteen feet."

On motion of Rep. Quezaire, the amendments were adopted.

On motion of Rep. Quezaire, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1185—

BY REPRESENTATIVES DOVE, BURRELL, CROWE, FRITH, GEYMAN, T. POWELL, RITCHIE, GARY SMITH, TRAHAN, AND WHITE

AN ACT

To enact R.S. 40:1730.23(D), relative to local enforcement of building codes; to provide for plans stamped by an architect or engineer; to provide for an effective period; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

On motion of Rep. Pinac, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1190—

BY REPRESENTATIVE M. GUILLORY

AN ACT

To enact R.S. 32:387.18, relative to special permits; to authorize the issuance of a special permit for the transport of specialized heavy haul equipment on interstate highways; to provide relative to certain limitations; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Quezaire, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1206—

BY REPRESENTATIVE QUEZAIRE

AN ACT

To require the mayors of certain municipalities within the territorial boundaries of certain airport authorities to be members of the boards of commissioners of such airport authorities; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Quezaire, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1218—

BY REPRESENTATIVE TUCKER

AN ACT

To require that the Crescent City Connection Division within the Department of Transportation and Development collect, transport, and dispose of litter in certain areas of Orleans Parish.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 1218 by Representative Tucker

AMENDMENT NO. 1

On page 1, line 3, change "solid waste" to "litter"

AMENDMENT NO. 2

On page 1, at the end of line 7, delete "solid waste," and insert "litter,"

On motion of Rep. Quezaire, the amendments were adopted.

On motion of Rep. Quezaire, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1257—

BY REPRESENTATIVE SCALISE

AN ACT

To enact R.S. 47:463.131 and 463.132, relative to motor vehicle prestige license plates; to provide for the creation of a Support Our Troops prestige license plate; to provide for the creation of the Motorcycle Awareness Campaign prestige license plates for certain motor vehicles and motorcycles; to provide for the issuance of such plates; to provide relative to the fees for such plates; to provide for use of such fees; to authorize the promulgation of rules and regulations; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 1257 by Representative Scalise

AMENDMENT NO. 1

On page 1, at the beginning of line 2, delete "To enact R.S. 47:463.131," and insert "To enact R.S. 47:463.131 and 463.132,"

AMENDMENT NO. 2

On page 1, line 3, after "plate;" and before "to" insert the following:

"to provide for the creation of the Motorcycle Awareness Campaign prestige license plates for certain motor vehicles and motorcycles;"

AMENDMENT NO. 3

On page 1, line 4, after "of such" and after "for such" change "plate" to "plates"

AMENDMENT NO. 4

On page 1, line 8, after "Section 1." and before "hereby" delete "R.S. 47:463.131 is" and insert "R.S. 47:463.131 and 463.132 are"

AMENDMENT NO. 5

Page 14 HOUSE

20th Day's Proceedings - May 2, 2006

On page 2, after line 11, insert the following:

"§463.132. Motorcycle Awareness Campaign; special prestige license plates for motor vehicles and motorcycles

A. The secretary of the Department of Public Safety and Corrections shall, in accordance with the provisions of this Section, establish and issue special prestige license plates, to be known as the Motorcycle Awareness Campaign plates, for both motorcycles and other motor vehicles. The plate for motorcycles shall be designed for use only on motorcycles and shall be established and issued if there is minimum of one thousand applicants for the plate. The plate for other motor vehicles shall be restricted to use on passenger cars, pickup trucks, vans, and recreational vehicles and shall be issued if there is a minimum of one thousand applicants for the plate. The secretary shall design the plates, and the plates shall bear the logo of a motorcycle and the letters "MAC" and the words "Motorcycle Awareness Campaign".

B. The prestige license plates for motor vehicles and motorcycles shall be issued, upon application, to any citizen of Louisiana in the same manner as any other motor vehicle license plate.

C. The department shall collect an annual fee of twenty-five dollars for each prestige license plate which shall be disbursed in accordance with Subsection D of this Section. This fee shall be in addition to the regular motor vehicle license fee provided in R.S. 47:463 and for each prestige license plate a handling fee of three dollars and fifty cents to be retained by the department to offset a portion of administrative costs.

D. The monies received from the additional twenty-five dollar fee for each prestige license plate shall be disbursed to the Motorcycle Awareness Campaign and be used to promote public awareness and safe operation of motorcycles on highways by means of billboards and television and radio campaigns.

E. The secretary shall establish such rules and regulations for each plate as are necessary to implement the provisions of this Section."

On motion of Rep. Quezaire, the amendments were adopted.

On motion of Rep. Quezaire, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1294—

BY REPRESENTATIVES QUEZAIRE, BEARD, AND DANIEL
AN ACT

To amend and reenact R.S. 48:2073 and to enact R.S. 48:2072(C) and (D), and 2084 through 2084.15, relative to the Louisiana Transportation Authority; to provide relative to legislative findings; to authorize the Louisiana Transportation Authority to enter into public-private partnership agreements for the construction of certain transportation facility projects; to provide relative to definitions; to authorize the submission of transportation facility proposals by certain entities; to require the submission of certain proposals to the House and Senate Transportation, Highways and Public Works Committees; to provide for the requirements of transportation facility proposals; to provide relative to the adoption of certain guidelines; to provide relative to the powers and duties of private entities; to provide relative to the requirements of a comprehensive agreement; to authorize certain funding sources; to provide relative to material defaults under certain circumstances and remedies for such defaults; to provide authority for the acquisition of certain property; to provide relative to police powers; to provide relative to utility crossings; to provide for

procurement guidelines and requirements; to provide relative to multimodal transportation facilities; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 1294 by Representative Quezaire

AMENDMENT NO. 1

On page 1, at the beginning of line 3, change "2084.14" to "2084.15"

AMENDMENT NO. line 2

On page 1, line 7, after "entities;" insert "to require the submission of certain proposals to the House and Senate Transportation, Highways and Public Works Committees;"

AMENDMENT NO. 3

On page 1, line 18, change "2084.14" to "2084.15"

AMENDMENT NO. 4

On page 6, at the end of line 22, insert the following:

"Prior to the authority approving a proposal to develop or operate a transportation facility as a public-private partnership, the authority shall submit such proposal to the House and Senate Committees on Transportation, Highways and Public Works. The chairman of each committee shall call a public hearing within thirty days of receiving the proposal from the authority for the purpose of receiving information and public comments on the proposal."

AMENDMENT NO. 5

On page 6, line 26, change "public" to "private"

AMENDMENT NO. 6

On page 7, line 12, after "facility" change the period "." to a comma "," and delete the remainder of the line and delete lines 13 and 14 in its entirety and insert "including the nature of the property interests to be"

AMENDMENT NO. 7

On page 7, delete line 19 in its entirety and insert the following:

"(6) A preliminary list of local, state, or federal agency permits or approvals expected to be required in order to"

AMENDMENT NO. 8

On page 7, line 22, after "A" and before "list" insert "preliminary"

AMENDMENT NO. 9

On page 9, at the end of line 26, delete "which" and delete line 27 in its entirety

AMENDMENT NO. 10

On page 10, line 8, after "with" delete the remainder of the line and delete line 9 in its entirety and insert "local comprehensive transportation plans."

AMENDMENT NO. 11

On page 12, line 11, delete "standard conditions" and insert "established standards"

AMENDMENT NO. 12

On page 20, line 1, change "partnerships" to "partnership"

AMENDMENT NO. 13

On page 20, after line 10, insert the following:

"§2084.15. Public-private partnership projects; limitations; port facilities

Nothing in this Chapter shall be construed to limit, restrict, or prevent the ability of any port authority, port, harbor and terminal district, or the offshore terminal authority, to construct, maintain, operate, expand, or create any facility within its jurisdiction or other areas within which such entity is authorized to act. If any property or facility of the authority or of any private entity authorized to act in accordance with the provisions of this Chapter is located within the jurisdiction of an existing port commission, port, harbor and terminal district, or the offshore terminal authority, the mutual written agreement of such entity shall be required before the authority approves the transportation facility."

On motion of Rep. Quezaire, the amendments were adopted.

On motion of Rep. Quezaire, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1298—

BY REPRESENTATIVES DOVE AND WHITE
AN ACT

To amend and reenact R.S. 40:1730.23(C), relative to enforcement of building codes by third-party providers who contract with a parish or municipality; to provide for limitation of liability; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

On motion of Rep. Pinac, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1306—

BY REPRESENTATIVE QUEZAIRE AND SENATOR ELLINGTON
AN ACT

To amend and reenact R.S. 48:250.3, relative to design-build contracts let by the Department of Transportation and Development; to provide relative to qualifications of competing firms; to provide relative to procedures for evaluation and selection of a design-builder; to provide relative to the compensation of competing firms for their proposals; to provide relative to hearings on final decisions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Quezaire, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1369 (Substitute for House Bill No. 581 by Representative Geymann)—

BY REPRESENTATIVES GEYMAN AND CRAVINS
AN ACT

To amend and reenact Code of Criminal Procedure Article 893(A) and to enact Chapter 3-D of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:561 through 561.7, relative to sex offenders; to provide for supervised release of sex offenders; to provide for the duties of the Department of Public Safety and Corrections; to provide for the conditions of supervised release; to provide for the duration of supervised release; to provide for applicability; to provide for the adoption of administrative rules; to provide for exceptions; to provide for penalties for failure to comply with the conditions of supervised release; to provide for duties of the court to explain the term and conditions of supervised release; to provide that supervised release shall not constitute probation and as such is not subject to the five-year limitation on the length of probation; and to provide for related matters.

Read by title.

On motion of Rep. Martiny, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1370 (Substitute for House Bill No. 1099 by Representative Gray)—

BY REPRESENTATIVE GRAY
AN ACT

To enact Subpart D-1 of Part II of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950 to be comprised of R.S. 46:286.2 through 286.12, relative to the Foster Parents' Bill of Rights; to provide for parental privileges; to provide for background of foster children; to provide for support; to provide for case management; to provide relative to court proceedings; to provide for after a child leaves the care of foster parents; to provide for foster parent records; to provide for advocacy; to provide for grievances; and to provide for related matters.

Read by title.

On motion of Rep. Durand, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**Senate Instruments on Second Reading
Returned from the Legislative Bureau**

The following Senate Instruments on second reading, returned from the Legislative Bureau, were taken up and acted upon as follows:

SENATE BILL NO. 64—
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 38:281(3) and (4), and to enact R.S. 38:249 and R.S. 49:213.10(D), relative to the taking of property; to provide relative to hurricane protection and flood control activities, and levees and levee drainage; to provide relative to the taking of property for certain purposes; to provide relative

to compensation; to provide relative to determinations and limitations of the amount of compensation; to provide certain conditions, definitions, and procedures; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Pitre, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 70—
BY SENATORS NEVERS AND MOUNT
AN ACT

To amend and reenact the introductory paragraph of R.S. 15:574.4(A)(2)(a), and R.S. 40:967(B)(1), (4) and (5) and 981.2(C), relative to certain controlled dangerous substances; to increase the penalty for the manufacture, possession or distribution of methadone; to authorize offenders to participate in the intensive incarceration program; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Martiny, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 573—
BY SENATOR N. GAUTREAUX
AN ACT

To enact R.S. 3:4617(F), relative to the Louisiana Weights and Measures Law; to provide for the commercial use of the terms "Cajun" and "Louisiana Creole"; to provide the legislative determinations; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

On motion of Rep. St. Germain, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

Reconsideration

The following legislative instruments on reconsideration were taken up and acted upon as follows:

HOUSE BILL NO. 946—
BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 4:61(B) and (C), 63, 64, 65(A), (B), and (C)(3), (4), and (5), 67(A) and (C)(1), 70, 72, 73, 75, 76, 79, 81, 82, 83, and 85 and to enact R.S. 4:61(F), 82.1, and 82.2, relative to the boxing commission; to provide for authority; to provide for domicile; to provide for exemption from civil liability; to provide for duties of secretary; to provide for bond requirements; to provide for license fees and taxes; to provide for physicians; to provide for seating for the commission; to provide for sham contests; to provide relative to events

coordinators, referees, and judges; to provide for criminal penalties and injunctions; to provide for definitions; and to provide for related matters.

Read by title.

On motion of Rep. Daniel, the vote by which the above House Bill failed to pass on the previous legislative day was reconsidered.

Returned to the calendar under the rules.

HOUSE BILL NO. 1130—
BY REPRESENTATIVES RICHMOND, ARNOLD, BARROW, GLOVER,
GRAY, HUTTER, JEFFERSON, MARCHAND, AND ST. GERMAIN
AN ACT

To enact Chapter 27-F of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9039.100 through 9039.111, relative to local and regional economic development; to provide for the creation of local and regional economic development districts that may operate on a local, municipal, parish, or multiparish basis to promote economic development statewide; to provide for definitions; to provide for the appointment of members to the board of the local and regional economic development districts; to provide for the boards' functions, powers, and duties; to authorize the boards to exercise the power of taxation, levy assessments on property, and collect certain fees; to authorize the districts to undertake certain projects for the promotion of local and regional economic development activities; to provide procedures for the issuance of bonds, notes, certificates, or other evidences of indebtedness; and to provide for related matters.

Read by title.

On motion of Rep. Richmond, the vote by which the above House Bill failed to pass on the previous legislative day was reconsidered.

Returned to the calendar under the rules.

Suspension of the Rules

On motion of Rep. Thompson, the rules were suspended in order to take up and consider House Bills and Joint Resolutions on Third Reading and Final Passage at this time.

**House Bills and Joint Resolutions on
Third Reading and Final Passage**

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Regular Calendar

HOUSE BILL NO. 1175—
BY REPRESENTATIVE SALTER
AN ACT

To amend and reenact R.S. 47:511.1(A) and to enact R.S. 11:607, relative to registration of vehicles; to provide relative to temporary permits authorizing the operation of trucks owned by residents of states which do not have a reciprocity agreement with Louisiana; to increase the fee for issuance of temporary permits authorizing the operation of such trucks on Louisiana highways; to provide relative to the terms of such temporary permits; to increase the number of hours the temporary permits authorize the operation of such trucks on Louisiana highways; to create the Department of Public Safety and Corrections Police Officer Fund; to require a portion of the fees collected for issuance of temporary permits authorizing the operation of trucks on Louisiana highways to be deposited into such fund; to

provide for the use of such monies; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Thompson, the bill was returned to the calendar.

HOUSE BILL NO. 1265— BY REPRESENTATIVE FAUCHEUX AN ACT

To enact R.S. 40:1749.13(E), relative to underground utilities and facilities damage prevention; to provide for a longer notification period before excavation in certain areas of the state; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Fauchaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	McVea
Alario	Fauchaux	Montgomery
Alexander	Frith	Morrell
Ansardi	Gallot	Morrish
Arnold	Geymann	Pierre
Badon	Gray	Pinac
Baldone	Greene	Pitre
Barrow	Guillory, E.	Powell, M.
Baudoin	Guillory, M.	Powell, T.
Baylor	Hammett	Quezaire
Beard	Harris	Richmond
Bowler	Heaton	Ritchie
Bruce	Hebert	Robideaux
Bruneau	Hill	Romero
Burns	Honey	Scalise
Burrell	Hopkins	Schneider
Carter, K.	Hunter	Smiley
Carter, R.	Hutter	Smith, G.
Cazayoux	Jackson	Smith, J.D.—50th
Crane	Jefferson	Smith, J.H.—8th
Cravins	Johns	Smith, J.R.—30th
Crowe	Katz	Strain
Curtis	Kennard	Thompson
Damico	Kenney	Toomy
Daniel	Kleckley	Townsend
DeWitt	LaBruzzo	Trahan
Doerge	LaFleur	Triche
Dorsey	LaFonta	Waddell
Dove	Lambert	Walker
Downs	Lancaster	Walsworth
Durand	Marchand	White
Erdey	Martiny	Winston
Fannin	McDonald	Wooton

Total - 99

NAYS

Total - 0

ABSENT

Dartez	Odinet	Tucker
Glover	St. Germain	
Total - 5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Fauchaux moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 45— BY REPRESENTATIVE TRICHE AN ACT

To provide with respect to the Early Retirement and Payroll Reduction Act; to provide for a reduction in state employment and for early retirement of members of the Louisiana State Employees' Retirement System, including but not limited to provisions for eligibility, retirement benefits, restrictions on hiring of new employees, abolition of vacated positions, reductions in appropriated funds, and funding; and to provide for related matters.

Read by title.

Rep. Triche sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Triche to Engrossed House Bill No. 45 by Representative Triche

AMENDMENT NO. 1

On page 1, line 14, after "fiscal" delete "needs" and insert "soundness"

AMENDMENT NO. 2

On page 1, line 16, after "temporary" delete "lessening" and insert "reduction"

AMENDMENT NO. 3

On page 2, line 17, after "R.S. 11:441(A)(1)(d)" delete "for" and insert "during"

AMENDMENT NO. 4

On page 4, line 18, after "to" delete "the"

On motion of Rep. Triche, the amendments were adopted.

Rep. Triche moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fauchaux	Morrell
Alario	Frith	Morrish
Alexander	Gallot	Pierre
Ansardi	Geymann	Pinac
Arnold	Gray	Pitre
Badon	Greene	Powell, M.
Baldone	Guillory, E.	Powell, T.
Barrow	Guillory, M.	Quezaire
Baudoin	Hammett	Richmond
Baylor	Harris	Ritchie
Beard	Heaton	Robideaux
Bowler	Hebert	Romero

Page 18 HOUSE

20th Day's Proceedings - May 2, 2006

Bruce	Hill	Scalise
Bruneau	Honey	Schneider
Burns	Hopkins	Smiley
Burrell	Hunter	Smith, G.
Carter, K.	Hutter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Cazayoux	Jefferson	Smith, J.R.—30th
Crane	Johns	St. Germain
Cravins	Katz	Strain
Crowe	Kennard	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaBruzzo	Trahan
Doerge	LaFleur	Triche
Dorsey	LaFonta	Waddell
Dove	Lancaster	Walker
Downs	Marchand	Walsworth
Durand	Martiny	Winston
Erdey	McDonald	Wooton
Fannin	McVea	
Farrar	Montgomery	

Total - 97

NAYS

Total - 0

ABSENT

Dartez	Lambert	White
DeWitt	Odinot	
Glover	Tucker	

Total - 7

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Triche moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Jane Smith, the rules were suspended to limit the author or proponent handling the legislative instrument to ten minutes for opening remarks and all subsequent speakers on the instrument to five minutes.

HOUSE BILL NO. 75—

BY REPRESENTATIVE CAZAYOUX
AN ACT

To amend and reenact R.S. 32:661(C)(1)(introductory paragraph), 661.1(C)(1)(introductory paragraph), 661.2(C)(1)(introductory paragraph), and 666(A)(1)(a)(i) and to enact Code of Criminal Procedure Article 163.2, relative to chemical tests for intoxication; to provide for a search warrant for bodily samples to test for intoxication; to provide for the time period the warrant remains in effect; to provide for who can issue the warrant and under what circumstances the warrant can be issued; to provide for immunity for health care providers assisting with the execution of the warrant; to provide that a person cannot refuse a chemical test when a search warrant for bodily samples has been issued; to provide with respect to the duties of law enforcement officers requesting bodily samples when a search warrant for bodily samples has been issued; and to provide for related matters.

Read by title.

Rep. Cazayoux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Durand	Morrish
Alario	Erdey	Odinot
Alexander	Fannin	Pinac
Ansardi	Frith	Pitre
Arnold	Gallot	Powell, M.
Badon	Geymann	Powell, T.
Baudoin	Greene	Richmond
Baylor	Guillory, M.	Ritchie
Beard	Heaton	Robideaux
Bruce	Hill	Romero
Bruneau	Hopkins	Scalise
Burrell	Jefferson	Smiley
Carter, R.	Johns	Smith, J.H.—8th
Cazayoux	Kenney	Strain
Crane	Kleckley	Thompson
Crowe	LaBruzzo	Trahan
Curtis	LaFleur	Triche
Damico	Lambert	Waddell
Daniel	Martiny	Walker
Doerge	McDonald	Walsworth
Downs	Montgomery	White

Total - 63

NAYS

Baldone	Guillory, E.	Marchand
Barrow	Hammett	McVea
Bowler	Harris	Morrell
Carter, K.	Hebert	Pierre
Cravins	Honey	Quezaire
DeWitt	Hunter	Smith, G.
Dorsey	Hutter	Smith, J.D.—50th
Dove	Jackson	Toomy
Farrar	Katz	Townsend
Fauchoux	LaFonta	Winston
Gray	Lancaster	Wooton

Total - 33

ABSENT

Burns	Kennard	St. Germain
Dartez	Schneider	Tucker
Glover	Smith, J.R.—30th	

Total - 8

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Cazayoux moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 79—

BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 27:311.8, relative to the licensing and operation of video draw poker devices; to provide for an exemption from processing fees for new video poker license applications when there is a transfer of ownership among subsidiaries and the corporate structure of a licensee changes; to provide for applicability; and to provide for related matters.

Read by title.

Rep. McDonald, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative McDonald on behalf of the Legislative Bureau to Engrossed House Bill No. 79 by Representative Townsend

AMENDMENT NO. 1

On page 1, line 15, following "change" and before "in" insert "requested"

AMENDMENT NO. 2

On page 1, line 15, following "is" and before "a change" delete "an application"

On motion of Rep. McDonald, the amendments were adopted.

Rep. Townsend sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Townsend to Engrossed House Bill No. 79 by Representative Townsend

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 27:311.8" to "R.S. 27:311.9"

AMENDMENT NO. 2

On page 1, line 8, change "R.S. 27:311.8" to "R.S. 27:311.9"

AMENDMENT NO. 3

On page 1, line 9, change "§311.8" to "§311.9"

On motion of Rep. Townsend, the amendments were adopted.

Rep. Townsend moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Montgomery
Alario	Gallot	Morrell
Alexander	Geymann	Morrish
Ansardi	Glover	Odinot
Arnold	Gray	Pierre
Badon	Greene	Pinac
Baldone	Guillory, E.	Pitre
Baylor	Guillory, M.	Powell, T.
Bowler	Hammett	Quezaire
Bruce	Harris	Richmond
Bruneau	Heaton	Ritchie
Burrell	Hebert	Robideaux
Carter, K.	Hill	Romero
Carter, R.	Honey	Smiley
Cazayoux	Hopkins	Smith, G.
Crane	Hunter	Smith, J.D.—50th
Cravins	Hutter	Smith, J.R.—30th
Curtis	Jackson	St. Germain
DeWitt	Jefferson	Strain
Doerge	Johns	Toomy
Dorsey	LaBruzzo	Townsend
Dove	LaFleur	Trahan
Downs	LaFonta	Triche
Durand	Lancaster	Waddell
Erdey	Marchand	Walker

Fannin
Farrar
Fauchaux
Total - 84

Martiny
McDonald
McVea

White
Winston
Wooton

NAYS

Baudoin
Beard
Crowe
Katz
Total - 12

Kenney
Kleckley
Lambert
Powell, M.

Schneider
Smith, J.H.—8th
Thompson
Walsworth

ABSENT

Barrow
Burns
Damico
Total - 8

Daniel
Dartez
Kennard

Scalise
Tucker

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Townsend moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On joint motion of Reps. Beard, Lambert, and Mike Powell, and under a suspension of the rules, the above roll call was corrected to reflect them as voting nay.

Speaker Pro Tempore Dorsey in the Chair

HOUSE BILL NO. 91—

BY REPRESENTATIVE FARRAR

AN ACT

To amend and reenact R.S. 34:851.27(C), relative to speed limits on waterways; to establish "no-wake" zones around certain boat launches and docking facilities; and to provide for related matters.

Read by title.

Rep. Farrar moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Morrell
Alario	Gallot	Morrish
Alexander	Geymann	Pierre
Ansardi	Glover	Pinac
Arnold	Gray	Pitre
Badon	Greene	Powell, M.
Baldone	Guillory, E.	Powell, T.
Barrow	Guillory, M.	Quezaire
Baudoin	Hammett	Richmond
Baylor	Harris	Ritchie
Beard	Heaton	Robideaux
Bowler	Hebert	Romero
Bruce	Hill	Scalise
Bruneau	Honey	Schneider
Burns	Hunter	Smiley
Burrell	Hutter	Smith, G.
Carter, K.	Jackson	Smith, J.D.—50th
Carter, R.	Jefferson	Smith, J.H.—8th
Cazayoux	Johns	Smith, J.R.—30th

Page 20 HOUSE

20th Day's Proceedings - May 2, 2006

Crane	Katz	St. Germain
Cravins	Kennard	Strain
Crowe	Kenney	Thompson
Curtis	Kleckley	Toomy
DeWitt	LaBruzzo	Townsend
Doerge	LaFleur	Trahan
Dorsey	LaFonta	Triche
Dove	Lambert	Waddell
Downs	Lancaster	Walker
Durand	Marchand	Walsworth
Erdey	Martiny	White
Fannin	McDonald	Winston
Farrar	McVea	Wooton
Faucheux	Montgomery	
Total - 98		

NAYS

Total - 0

ABSENT

Damico	Dartez	Odinot
Daniel	Hopkins	Tucker
Total - 6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Farrar moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1175—

BY REPRESENTATIVE SALTER

AN ACT

To amend and reenact R.S. 47:511.1(A) and to enact R.S. 11:607, relative to registration of vehicles; to provide relative to temporary permits authorizing the operation of trucks owned by residents of states which do not have a reciprocity agreement with Louisiana; to increase the fee for issuance of temporary permits authorizing the operation of such trucks on Louisiana highways; to provide relative to the terms of such temporary permits; to increase the number of hours the temporary permits authorize the operation of such trucks on Louisiana highways; to create the Department of Public Safety and Corrections Police Officer Fund; to require a portion of the fees collected for issuance of temporary permits authorizing the operation of trucks on Louisiana highways to be deposited into such fund; to provide for the use of such monies; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Salter sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Salter to Engrossed House Bill No. 1175 by Representative Salter

AMENDMENT NO. 1

On page 1, line 9, after "Fund;" delete the remainder of the line in its entirety and delete lines 10 and 11 in their entirety and insert "to provide"

AMENDMENT NO. 2

On page 1, line 18, after "officers" delete the remainder of the line and delete lines 19 and 20 in their entirety and delete lines 1 and 2 from page 2 in their entirety and delete "shall be deposited into the fund." from the beginning of line 3 and insert the following:

"as defined in R.S. 40:2402(1)(a) other than state troopers, who are employed by the Department of Public Safety and Corrections, office of state police."

AMENDMENT NO. 3

On page 2, line 16, after "hours." delete the remainder of the line and delete lines 17 through 19 in their entirety

On motion of Rep. Salter, the amendments were adopted.

Rep. Salter moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrell
Alario	Frith	Morrish
Alexander	Gallot	Pierre
Ansardi	Geymann	Pinac
Arnold	Glover	Pitre
Badon	Gray	Powell, M.
Baldone	Greene	Powell, T.
Barrow	Guillory, E.	Quezaire
Baudoin	Hammett	Richmond
Baylor	Harris	Ritchie
Beard	Hebert	Robideaux
Bowler	Hill	Romero
Bruce	Honey	Smiley
Bruneau	Hopkins	Smith, G.
Burrell	Hunter	Smith, J.D.—50th
Carter, K.	Hutter	Smith, J.H.—8th
Carter, R.	Jackson	Smith, J.R.—30th
Cazayoux	Jefferson	St. Germain
Crane	Johns	Strain
Cravins	Kennard	Thompson
Curtis	Kenney	Townsend
Damico	Kleckley	Trahan
DeWitt	LaBruzzo	Triche
Doerge	LaFleur	Waddell
Dorsey	LaFonta	Walker
Dove	Lambert	Walsworth
Downs	Marchand	White
Durand	Martiny	Winston
Erdey	McDonald	Wooton
Fannin	McVea	
Farrar	Montgomery	
Total - 91		

NAYS

Crowe
Total - 2

Schneider

ABSENT

Burns	Heaton	Scalise
Daniel	Katz	Toomy
Dartez	Lancaster	Tucker
Guillory, M.	Odinot	
Total - 11		

The Chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

The title of the above bill was read and adopted.

Rep. Salter moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Speaker Salter in the Chair

Suspension of the Rules

On motion of Rep. Thompson, and under a suspension of the rules, the following bill was taken up out of its regular order at this time.

HOUSE BILL NO. 685—

BY REPRESENTATIVES THOMPSON, BRUCE, CAZAYOUX, CRAVINS, DOWNS, FRITH, M. GUILLORY, HILL, KENNEY, JACK SMITH, AND STRAIN

AN ACT

To enact R.S. 3:4674, relative to ethanol and bio-diesel standards; to provide a minimum ethanol content requirement for gasoline; to provide a minimum bio-diesel content requirement for diesel; to provide for definitions; to provide for exemptions; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Thompson sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Thompson to Engrossed House Bill No. 685 by Representative Thompson

AMENDMENT NO. 1

On page 2, line 9, after "bran," delete "and"

AMENDMENT NO. 2

On page 2, line 10, after "fats," insert "and any of which is"

AMENDMENT NO. 3

On page 2, delete line 12 in its entirety and insert "Materials(ASTM) standard specification for bio-diesel used as a motor fuel."

AMENDMENT NO. 4

On page 2, line 26, after "produced" delete "exclusively"

AMENDMENT NO. 5

On page 2, line 27, after "byproducts" delete the period "." and insert "or other bio-mass materials including municipal solid waste."

AMENDMENT NO. 6

On page 3, line 1, after "volume of" change "ten" to "fifty"

AMENDMENT NO. 7

On page 3, line 2, after "feedstock" delete the period "." and insert "or other bio-mass materials."

AMENDMENT NO. 8

On page 3, line 8, after "requirements." insert the following:

"The Commission on Weights and Measures may waive or extend the six month time period upon a finding that the quality or supply of bio-diesel or ethanol is insufficient to allow blenders or retailers to meet the minimum content requirements."

On motion of Rep. Thompson, the amendments were adopted.

Rep. Daniel sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Daniel to Engrossed House Bill No. 685 by Representative Thompson

AMENDMENT NO. 1

On page 3, line 11, after "not be" and before "sold" insert "required to be"

On motion of Rep. Daniel, the amendments were adopted.

Rep. DeWitt sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative DeWitt to Engrossed House Bill No. 685 by Representative Thompson

AMENDMENT NO. 1

On page 3, between lines 15 and 16, insert the following:

"I. The commissioner shall adopt rules and regulations requiring incentives to compensate for any costs associated with achieving the minimum ethanol and bio-diesel standards."

On motion of Rep. DeWitt, the amendments were adopted.

Rep. Frith sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Frith to Engrossed House Bill No. 685 by Representative Thompson

AMENDMENT NO. 1

On page 3, between lines 12 and 13, insert the following:

"H. Notwithstanding any provision of law to the contrary, retailers shall not be required to purchase or sell ethanol or bio-diesel in the state of Louisiana."

AMENDMENT NO. 2

On page 3, line 13, change "H." to "I."

Rep. Frith moved the adoption of the amendments.

Rep. Thompson objected.

By a vote of 56 yeas and 43 nays, the amendments were adopted.

Rep. Martiny sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Page 22 HOUSE

20th Day's Proceedings - May 2, 2006

Amendments proposed by Representative Martiny to Engrossed House Bill No. 685 by Representative Thompson

AMENDMENT NO. 1

On page 3, delete lines 16 through 20 and insert the following:

"Section 2: This Act shall become effective six months after the New York Mercantile Exchange (NYMEX) average settled per gallon price for ethonol, as reported in the Wall Street Journal, is below the New York Mercantile Exchange (NYMEX) average settled per gallon price for unleaded gasoline and the average settled per gallon price for reformulated gasoline blendstock for oxygen blending (RBOB), as reported in the Wall Street Journal, for a period of six consecutive months as determined by the secretary of the Department of Revenue. The secretary shall public notice of the determination in the official journal of the state of Louisiana."

Rep. Martiny moved the adoption of the amendments.

Rep. Thompson objected.

By a vote of 43 yeas and 54 nays, the amendments were rejected.

Rep. Daniel sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Daniel to Engrossed House Bill No. 685 by Representative Thompson

AMENDMENT NO. 1

On page 1, line 4, after "diesel;" insert "to provide relative to alternate renewable fuels;"

AMENDMENT NO. 2

On page 2, between lines 4 and 5, insert the following:

"(1) "Alternate renewable fuel" means liquid fuel that is domestically produced from renewable biomass which can be used in place of ethanol or bio-diesel and it must meet the definition of renewable fuel in the Energy Policy Act of 2005."

AMENDMENT NO. 3

On page 2, line 5, change "(1)" to "(2)"

AMENDMENT NO. 4

On page 2, line 16, change "(2)" to "(3)"

AMENDMENT NO. 5

On page 2, at the beginning of line 28, change "C." to "C. (1)"

AMENDMENT NO. 6

On page 3, between lines 2 and 3, insert the following:

"(2) The requirements set forth in Paragraph (1) of this Subsection may also be met through the production of an alternate renewable fuel."

AMENDMENT NO. 7

On page 3, at the beginning of line 3, change "D." to "D.(1)"

AMENDMENT NO. 8

On page 3, between lines 6 and 7, insert the following:

"(2) The requirements set forth in Paragraph (1) of this Subsection may also be met through the production of an alternate renewable fuel."

E. Within six months after monthly production of an alternate renewable fuel capable of substituting for ethanol and bio-diesel produced in the state of Louisiana equals or exceeds an annualized production volume of 20 million gallons, two percent of the total motor fuel sold by volume in the state shall be the alternate renewable fuel produced from domestically grown feedstock."

AMENDMENT NO. 9

On page 3, at the beginning of line 7, change "E." to "F."

AMENDMENT NO. 10

On page 3, at the beginning of line 9, change "F." to "G."

AMENDMENT NO. 11

On page 3, at the beginning of line 11, change "G." to "H."

AMENDMENT NO. 12

On page 3, at the beginning of line 13, change "H." to "I."

On motion of Rep. Daniel, the amendments were adopted.

Rep. Thompson moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Montgomery
Arnold	Gallot	Morrish
Badon	Glover	Pierre
Baldone	Guillory, M.	Pinac
Baylor	Hammett	Powell, T.
Bruce	Harris	Quezaire
Burrell	Heaton	Richmond
Carter, R.	Hebert	Ritchie
Cazayoux	Hill	Romero
Cravins	Honey	Smith, J.D.-50th
Curtis	Hopkins	Smith, J.R.-30th
Damico	Hunter	St. Germain
DeWitt	Jefferson	Strain
Doerge	Kenney	Thompson
Dorsey	Kleckley	Toomy
Downs	LaFleur	Townsend
Durand	LaFonta	Trahan
Fannin	Marchand	Triche
Farrar	McDonald	Walker
Faucheux	McVea	
Total - 59		

NAYS

Alario	Geymann	Pitre
Alexander	Gray	Powell, M.
Ansardi	Greene	Robideaux
Baudoin	Guillory, E.	Scalise
Beard	Hutter	Schneider
Bowler	Jackson	Smiley
Bruneau	Johns	Smith, G.

Burns	Katz	Smith, J.H.—8th
Carter, K.	Kennard	Waddell
Crane	LaBruzzo	Walsworth
Crowe	Lambert	White
Daniel	Lancaster	Winston
Dove	Martiny	Wooton
Erdey	Odinet	
Total - 41		

ABSENT

Barrow	Morrell
Dartez	Tucker
Total - 4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Thompson moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On joint motion of Reps. Beard, Hutter, Lancaster, and Waddell, and under a suspension of the rules, the above roll call was corrected to reflect them as voting nay.

Speaker Pro Tempore Dorsey in the Chair

Suspension of the Rules

On motion of Rep. Doerge, and under a suspension of the rules, the following bill was taken up out of its regular order at this time.

HOUSE BILL NO. 1006—

BY REPRESENTATIVES DOERGE, DOWNS, AND MONTGOMERY
AN ACT

To authorize and provide for the transfer of certain property, located in Webster Parish from the University of Louisiana System, acting with and on behalf of Louisiana Tech University, to the Military Department, state of Louisiana; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Doerge moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	McVea
Alario	Faucheux	Montgomery
Alexander	Frith	Morrell
Ansardi	Gallot	Morrish
Arnold	Geymann	Odinet
Badon	Glover	Pierre
Baldone	Gray	Pinac
Barrow	Greene	Pitre
Baudoin	Guillory, E.	Powell, M.
Baylor	Guillory, M.	Powell, T.
Beard	Hammett	Quezaire
Bowler	Harris	Richmond
Bruce	Heaton	Ritchie
Bruneau	Hebert	Robideaux

Burns	Hill	Romero
Burrell	Honey	Scalise
Carter, K.	Hopkins	Schneider
Carter, R.	Hunter	Smiley
Cazayoux	Jackson	Smith, G.
Crane	Jefferson	Smith, J.D.—50th
Cravins	Johns	Smith, J.H.—8th
Crowe	Katz	St. Germain
Curtis	Kennard	Strain
Damico	Kenney	Thompson
Daniel	Kleckley	Toomy
DeWitt	LaBruzzo	Trahan
Doerge	LaFleur	Triche
Dorsey	LaFonta	Walker
Dove	Lambert	Walsworth
Downs	Lancaster	White
Durand	Marchand	Winston
Erdey	Martiny	Wooton
Fannin	McDonald	
Total - 98		

NAYS

Total - 0

ABSENT

Dartez	Smith, J.R.—30th	Tucker
Hutter	Townsend	Waddell
Total - 6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Doerge moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. White, and under a suspension of the rules, the following bill was taken up out of its regular order at this time.

HOUSE BILL NO. 815—

BY REPRESENTATIVES WHITE AND KENNARD AND SENATORS
FONTENOT AND MARIONNEAUX
AN ACT

To enact R.S. 17:58.2(H), 65, and 65.1, relative to the Central community school system; to provide for the school system, including its establishment and boundaries; to provide for the school board and an interim board of control; to provide for board membership, apportionment, qualifications, method of selection, terms of office, filling of vacancies, compensation, expenses, powers, duties, and responsibilities; to provide relative to facilities and property; to provide for the reapportionment of the East Baton Rouge Parish School Board; to provide for effectiveness and for implementation; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. White sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative White to Engrossed House Bill No. 815 by Representative White

AMENDMENT NO. 1

Page 24 HOUSE

20th Day's Proceedings - May 2, 2006

On page 5, line 24, after "F." and before "The" insert "(1)"

AMENDMENT NO. 2

On page 6, between lines 9 and 10, insert the following:

"(2) If the members of the Central Community School Board are elected at the time provided in Paragraph (2) of Subsection B of this Section, the interim school board shall begin actual operation of providing for the education of students within its jurisdiction on such date and shall exercise all powers and authorities granted to the Central Community School Board and for the purposes of R.S. 17:58.2(H), the Central Community School Board shall be deemed to have begun actual operation on such date."

On motion of Rep. White, the amendments were adopted.

Rep. White sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative White to Engrossed House Bill No. 815 by Representative White

AMENDMENT NO. 1

On page 1, between lines 9 and 10, insert the following:

"Notice of intention to introduce this Act has been published as provided by Article III, Section 13 and Article X, Section 29(C) of the Constitution of Louisiana."

On motion of Rep. White, the amendments were adopted.

Rep. Richmond sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Richmond to Engrossed House Bill No. 815 by Representative White

AMENDMENT NO. 1

On page 1, line 7, after "property;" and before "to provide" insert "to provide relative to students attending schools that become part of the system;"

AMENDMENT NO. 2

On page 6, between lines 9 and 10, insert:

"G. Notwithstanding any provision of law to the contrary, any student who at the end of the 2006-2007 school year is attending a school that becomes part of the Central Community School System shall be permitted to attend that school through the highest grade offered in the school and shall be permitted to attend a school in the school system through the twelfth grade."

Rep. Richmond moved the adoption of the amendments.

Rep. White objected.

By a vote of 30 yeas and 61 nays, the amendments were rejected.

Rep. White moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Odinot
Alario	Geymann	Pinac
Alexander	Greene	Pitre
Ansardi	Guillory, M.	Powell, M.
Baldone	Hammett	Powell, T.
Baudoin	Harris	Ritchie
Beard	Heaton	Robideaux
Bowler	Hebert	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hunter	Smiley
Burns	Hutter	Smith, G.
Carter, R.	Johns	Smith, J.D.-50th
Cazayoux	Katz	Smith, J.H.-8th
Crane	Kennard	Smith, J.R.-30th
Cravins	Kenney	St. Germain
Crowe	Kleckley	Strain
Damico	LaBruzzo	Toomy
Daniel	LaFleur	Townsend
DeWitt	LaFonta	Trahan
Doerge	Lambert	Triche
Dove	Lancaster	Waddell
Downs	Martiny	Walker
Durand	McDonald	Walsworth
Erdey	McVea	White
Fannin	Montgomery	Winston
Faucheux	Morrish	Wooton
Total - 78		

NAYS

Badon	Dorsey	Honey
Barrow	Gallot	Jackson
Baylor	Glover	Marchand
Burrell	Gray	Pierre
Carter, K.	Guillory, E.	Quezaire
Curtis	Hill	Richmond
Total - 18		

ABSENT

Arnold	Jefferson	Thompson
Dartez	Morrell	Tucker
Farrar	Romero	
Total - 8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. White moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On joint motion of Reps. Cravins and Crowe, and under a suspension of the rules, the above roll call was corrected to reflect them as voting yea.

Suspension of the Rules

On motion of Rep. White, and under a suspension of the rules, the following bill was taken up out of its regular order at this time.

HOUSE BILL NO. 48—

BY REPRESENTATIVE WHITE

A JOINT RESOLUTION

Proposing to amend Article VIII, Section 13(D)(1) of the Constitution of Louisiana, to provide that for certain effects and purposes the Central community school system in East Baton Rouge Parish shall be regarded and treated as a parish and shall have the authority granted parishes, including the purposes of certain funding and the raising of certain local revenues for the support of elementary and secondary schools; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Jackson sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Jackson to Engrossed House Bill No. 48 by Representative White

AMENDMENT NO. 1

On page 1, at the end of line 6, insert the following:

"to provide under specified circumstances for amendment by the legislature of the minimum foundation program formula adopted by the State Board of Elementary and Secondary Education and submitted by the board for legislative approval;"

AMENDMENT NO. 2

On page 1, at the end of line 21, insert the following:

"Notwithstanding any provision of Paragraph (B) of this Section to the contrary, whenever the legislature creates and establishes a new public school system, the legislature may amend any minimum foundation program formula adopted by the State Board of Elementary and Secondary Education and submitted by the board for legislative approval that determines funding amounts for the new school system to provide for allocation of costs between the new school system and the school system or systems from which it was separated."

AMENDMENT NO. 3

On page 2, line 13, after "schools" and before "(Amends" delete the period "." and insert the following:

"and to authorize the legislature, whenever it creates and establishes a new public school system, to amend, under specified circumstances, the minimum foundation program formula to provide for allocation of costs between the new school system and the school system or systems from which it was separated."

Rep. Jackson moved the adoption of the amendments.

Rep. White objected.

By a vote of 36 yeas and 58 nays, the amendments were rejected.

Rep. White moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Pinac
Alario	Geymann	Pitre
Alexander	Glover	Powell, M.
Ansardi	Greene	Powell, T.
Arnold	Guillory, M.	Ritchie
Baldone	Hammett	Robideaux
Baudoin	Harris	Scalise
Beard	Heaton	Schneider
Bowler	Hebert	Smiley
Bruce	Hill	Smith, G.
Bruneau	Hopkins	Smith, J.D.—50th
Burns	Hunter	Smith, J.H.—8th
Burrell	Hutter	Smith, J.R.—30th
Cazayoux	Johns	St. Germain
Crane	Katz	Strain
Cravins	Kennard	Thompson
Crowe	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Waddell
Dove	Lambert	Walker
Downs	Lancaster	Walsworth
Durand	Martiny	White
Erdey	McVea	Winston
Fannin	Montgomery	Wooton
Farrar	Morrish	
Faucheux	Odinot	
Total - 82		

NAYS

Badon	Dorsey	Jackson
Barrow	Gallot	Marchand
Baylor	Gray	Pierre
Carter, K.	Guillory, E.	Quezaire
Curtis	Honey	Richmond
Total - 15		

ABSENT

Carter, R.	McDonald	Tucker
Dartez	Morrell	
Jefferson	Romero	

Total - 7

The Chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

The title of the above bill was read and adopted.

Rep. White moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Curtis, and under a suspension of the rules, the above roll call was corrected to reflect him as voting nay.

Speaker Salter in the Chair**Suspension of the Rules**

On motion of Rep. Triche, and under a suspension of the rules, the following bill was taken up out of its regular order at this time.

Page 26 HOUSE

20th Day's Proceedings - May 2, 2006

HOUSE BILL NO. 1149— BY REPRESENTATIVE TRICHE

AN ACT

To enact R.S. 27:403, relative to miscellaneous gaming provisions; to authorize certain licensed premises to make available tables and certain areas of the licensed premises for the purpose of the conducting of promotional poker tournaments; to provide for limitations; to provide for applicability; to provide for definitions; to provide with respect to advertising promotional poker tournaments; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Triche sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Triche to Engrossed House Bill No. 1149 by Representative Triche

AMENDMENT NO. 1

On page 2, between lines 19 and 20 insert the following:

"(9) The owner of the licensed premises or his employee or agent shall not increase, inflate, or adjust the prices of food or beverages prior to or during the conducting of a promotional poker tournament so that the prices of food or beverages is different from those same items offered for sale at times when the licensed establishment is not conducting a promotional poker tournament."

AMENDMENT NO. 2

On page 3, delete lines 4 through 6 in their entirety and insert in lieu thereof the following:

"D.(1) The provisions of this Section shall not be construed to authorize the owner of a licensed premises or his employee or agent or any other person to conduct gambling as defined in R.S. 14:90."

"(2) The provisions of this Section shall not be construed to provide criminal immunity from prosecution to any person conducting the crime of gambling."

On motion of Rep. Triche, the amendments were adopted.

Rep. Triche moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Faucheux	McVea
Ansardi	Frith	Morrell
Arnold	Gallot	Odinot
Baldone	Glover	Pinac
Baylor	Guillory, E.	Pitre
Bowler	Harris	Smith, G.
Bruce	Hebert	Smith, J.D.—50th
Bruneau	Hunter	St. Germain
Burrell	Hutter	Toomy
Carter, R.	Johns	Townsend
Curtis	LaFleur	Triche
Damico	LaFonta	Walker
DeWitt	Lancaster	Winston
Dove	Marchand	Wooton

Durand
Total - 44

Martiny

NAYS

Mr. Speaker	Farrar	Powell, M.
Alexander	Geymann	Powell, T.
Badon	Gray	Quezaire
Barrow	Greene	Richmond
Baudoin	Guillory, M.	Ritchie
Beard	Hammett	Robideaux
Burns	Heaton	Scalise
Carter, K.	Hill	Schneider
Cazayoux	Honey	Smiley
Crane	Jefferson	Smith, J.H.—8th
Cravins	Katz	Smith, J.R.—30th
Crowe	Kenney	Strain
Daniel	LaBruzzo	Thompson
Doerge	Lambert	Trahan
Dorsey	Montgomery	Waddell
Downs	Morrish	Walsworth
Erdey	Pierre	

Total - 50

ABSENT

Dartez	Kennard	Tucker
Fannin	Kleckley	White
Hopkins	McDonald	
Jackson	Romero	

Total - 10

The Chair declared the above bill failed to pass.

HOUSE BILL NO. 178— BY REPRESENTATIVE SCHNEIDER AN ACT

To amend and reenact R.S. 11:323(A), (B), and (D), relative to provisions affecting more than one retirement system; to provide with respect to participation in the Deferred Retirement Option Plan of certain retirement systems by certain persons; to allow certain terminated members to adjust the periods applicable to their participation in the plan under certain circumstances; to provide for participation in the plan upon reemployment; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Schneider moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Odinot
Alexander	Gallot	Pierre
Ansardi	Geymann	Pinac
Arnold	Glover	Pitre
Badon	Gray	Powell, M.
Baldone	Greene	Powell, T.
Barrow	Guillory, E.	Quezaire
Baudoin	Guillory, M.	Richmond
Baylor	Hammett	Ritchie
Beard	Harris	Robideaux
Bowler	Heaton	Romero
Bruce	Hebert	Scalise
Bruneau	Hill	Schneider
Burns	Hopkins	Smiley
Burrell	Hunter	Smith, G.

Carter, K.	Hutter	Smith, J.D.—50th
Carter, R.	Jefferson	Smith, J.H.—8th
Cazayoux	Johns	Smith, J.R.—30th
Crane	Katz	St. Germain
Cravins	Kennard	Strain
Curtis	Kenney	Thompson
Damico	Kleckley	Toomy
Daniel	LaBruzzo	Townsend
DeWitt	LaFleur	Trahan
Doerge	LaFonta	Triche
Dorsey	Lambert	Waddell
Dove	Lancaster	Walker
Downs	Marchand	Walsworth
Durand	McVea	White
Erdey	Montgomery	Winston
Farrar	Morrell	Wooton
Total - 96		

NAYS

Honey
Total - 1

ABSENT

Crowe	Jackson	Tucker
Dartez	Martiny	
Fannin	McDonald	
Total - 7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Schneider moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 193—

BY REPRESENTATIVE LAFONTA
AN ACT

To enact R.S. 18:108(C), relative to voter registration; to provide for the reinstatement of prior voter registration information for a voter whose registration has been canceled and who re-registers to vote in the parish in which he was previously registered within three years of the cancellation of his registration in that parish; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Richmond, the bill was returned to the calendar.

HOUSE BILL NO. 217—

BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 27:306(A)(4)(d), relative to the Video Draw Poker Devices Control Law; to provide that the requirements for qualified truck stop facilities are suspended if the property upon which the qualified truck stop facility is located is expropriated by the state or its political subdivisions; and to provide for related matters.

Read by title.

Rep. Townsend sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Townsend to Engrossed House Bill No. 217 by Representative Townsend

AMENDMENT NO. 1

On page 1, line 13, after "(d)" and before "The" insert "(i)"

AMENDMENT NO. 2

On page 1, line 16, after "or" and before "its" insert "one of"

AMENDMENT NO. 3

On page 2, between lines 2 and 3 insert the following:

"(ii) The provisions of this Subparagraph shall not be construed to adversely affect parish boundary surveys or good faith reliance upon those surveys as provided for in R.S. 27:325."

On motion of Rep. Townsend, the amendments were adopted.

Rep. Townsend moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Durand	Martiny
Alario	Faucheux	Morrish
Ansardi	Frith	Odinot
Arnold	Gallot	Pierre
Badon	Glover	Pinac
Baldone	Gray	Pitre
Baylor	Guillory, M.	Quezaire
Bowler	Hammett	Richmond
Bruce	Harris	Ritchie
Bruneau	Heaton	Romero
Burrell	Hebert	Smith, G.
Carter, K.	Honey	Smith, J.D.—50th
Carter, R.	Hopkins	St. Germain
Cazayoux	Hutter	Strain
Cravins	Jackson	Toomy
Curtis	Jefferson	Townsend
Damico	Johns	Triche
Daniel	LaFleur	Walker
DeWitt	LaFonta	Winston
Doerge	Lancaster	Wooton
Dorsey	Marchand	
Total - 62		

NAYS

Alexander	Guillory, E.	Powell, T.
Barrow	Hill	Robideaux
Baudoin	Hunter	Scalise
Beard	Katz	Schneider
Burns	Kennard	Smiley
Crane	Kenney	Smith, J.H.—8th
Crowe	Kleckley	Smith, J.R.—30th
Dove	LaBruzzo	Thompson
Erdey	Lambert	Trahan
Farrar	McVea	Waddell
Geymann	Montgomery	Walsworth
Greene	Powell, M.	
Total - 35		

ABSENT

Dartez	McDonald	White
Downs	Morrell	
Fannin	Tucker	

Page 28 HOUSE

20th Day's Proceedings - May 2, 2006

Total - 7

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Townsend moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 193—

BY REPRESENTATIVE LAFONTA

AN ACT

To enact R.S. 18:108(C), relative to voter registration; to provide for the reinstatement of prior voter registration information for a voter whose registration has been canceled and who re-registers to vote in the parish in which he was previously registered within three years of the cancellation of his registration in that parish; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. LaFonta moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Odinot
Alexander	Gallot	Pierre
Ansardi	Geymann	Pinac
Arnold	Glover	Pitre
Badon	Gray	Powell, M.
Baldone	Greene	Powell, T.
Barrow	Guillory, E.	Quezaire
Baudoin	Guillory, M.	Richmond
Baylor	Hammett	Ritchie
Beard	Harris	Robideaux
Bowler	Heaton	Romero
Bruce	Hebert	Scalise
Bruneau	Hill	Schneider
Burns	Hunter	Smiley
Burrell	Hutter	Smith, G.
Carter, K.	Jackson	Smith, J.D.—50th
Carter, R.	Jefferson	Smith, J.H.—8th
Cazayoux	Johns	Smith, J.R.—30th
Crane	Katz	St. Germain
Cravins	Kennard	Strain
Crowe	Kenney	Thompson
Curtis	Kleckley	Toomy
Damico	LaBruzzo	Townsend
Daniel	LaFleur	Trahan
DeWitt	LaFonta	Triche
Doerge	Lambert	Waddell
Dorsey	Lancaster	Walker
Dove	Marchand	Walsworth
Downs	Martiny	White
Durand	McVea	Winston
Erdey	Montgomery	Wooton
Farrar	Morrell	
Total - 98		

NAYS

Total - 0

ABSENT

Dartez
Fannin
Total - 6

Honey
Hopkins

McDonald
Tucker

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. LaFonta moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 250—

BY REPRESENTATIVE K. CARTER

AN ACT

To repeal R.S. 22:83 and 130, relative to domestic insurers; to delete the requirement of United States citizenship to serve on the board of directors or be an officer of a domestic stock insurer or a domestic mutual insurer.

Read by title.

Rep. Karen Carter moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Morrish
Alario	Gallot	Odinot
Alexander	Glover	Pierre
Ansardi	Gray	Pinac
Arnold	Greene	Pitre
Badon	Guillory, E.	Powell, M.
Baldone	Guillory, M.	Powell, T.
Barrow	Hammett	Quezaire
Baylor	Harris	Richmond
Beard	Heaton	Ritchie
Bowler	Hebert	Robideaux
Bruce	Hill	Romero
Bruneau	Honey	Scalise
Burns	Hopkins	Schneider
Burrell	Hunter	Smiley
Carter, K.	Hutter	Smith, G.
Carter, R.	Jackson	Smith, J.D.—50th
Cazayoux	Jefferson	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Cravins	Katz	St. Germain
Crowe	Kennard	Strain
Curtis	Kenney	Thompson
Damico	Kleckley	Toomy
Daniel	LaBruzzo	Townsend
DeWitt	LaFleur	Trahan
Doerge	LaFonta	Triche
Dorsey	Lambert	Waddell
Dove	Lancaster	Walker
Downs	Marchand	Walsworth
Durand	Martiny	White
Erdey	McVea	Winston
Farrar	Montgomery	Wooton
Faucheux	Morrell	
Total - 98		

NAYS

Total - 0

ABSENT

Baudoin
Dartez

Fannin
Geymann

McDonald
Tucker

Total - 6

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Karen Carter moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 340—

BY REPRESENTATIVE K. CARTER

AN ACT

To amend and reenact R.S. 22:636(G), relative to nonrenewal of certain insurance policies; to provide for notice of nonrenewal to persons with an interest in any loss covered by the policy; and to provide for related matters.

Read by title.

Rep. Karen Carter moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Morrish
Alario	Gallot	Odinot
Alexander	Geymann	Pierre
Ansardi	Glover	Pinac
Arnold	Gray	Pitre
Badon	Greene	Powell, M.
Baldone	Guillory, E.	Powell, T.
Barrow	Guillory, M.	Quezaire
Baudoin	Hammett	Richmond
Baylor	Harris	Ritchie
Beard	Heaton	Robideaux
Bowler	Hebert	Romero
Bruce	Hill	Scalise
Bruneau	Honey	Schneider
Burns	Hopkins	Smiley
Burrell	Hunter	Smith, G.
Carter, K.	Hutter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Cazayoux	Jefferson	Smith, J.R.—30th
Crane	Johns	St. Germain
Cravins	Katz	Strain
Crowe	Kennard	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaBruzze	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Waddell
Dorsey	Lambert	Walker
Dove	Lancaster	Walsworth
Downs	Marchand	White
Durand	Martiny	Winston
Erdey	McVea	Wooton
Farrar	Montgomery	
Faucheux	Morrell	
Total - 100		

NAYS

Total - 0

ABSENT

Dartez	McDonald
Fannin	Tucker
Total - 4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Karen Carter moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 374—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact Code of Criminal Procedure Article 893(A), relative to suspension and deferral of sentence and probation in felony cases; to provide when a term of probation commences if incarceration and probation are ordered by a court; to provide for the concurrent running of probation and parole supervision in certain cases; to provide for applicability; and to provide for related matters.

Read by title.

Rep. Martiny moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Morrell
Alario	Gallot	Morrish
Alexander	Geymann	Odinot
Ansardi	Glover	Pierre
Arnold	Gray	Pinac
Badon	Greene	Pitre
Baldone	Guillory, E.	Powell, M.
Baudoin	Guillory, M.	Powell, T.
Baylor	Hammett	Quezaire
Beard	Harris	Richmond
Bowler	Heaton	Ritchie
Bruce	Hebert	Robideaux
Bruneau	Hill	Romero
Burns	Honey	Scalise
Burrell	Hopkins	Schneider
Carter, K.	Hunter	Smiley
Carter, R.	Hutter	Smith, G.
Cazayoux	Jackson	Smith, J.H.—8th
Crane	Jefferson	Smith, J.R.—30th
Cravins	Johns	St. Germain
Crowe	Katz	Strain
Curtis	Kennard	Thompson
Damico	Kenney	Toomy
Daniel	Kleckley	Townsend
DeWitt	LaBruzze	Trahan
Doerge	LaFleur	Triche
Dorsey	LaFonta	Waddell
Dove	Lambert	Walker
Downs	Lancaster	Walsworth
Durand	Marchand	White
Erdey	Martiny	Winston
Farrar	McVea	Wooton
Faucheux	Montgomery	
Total - 98		

NAYS

Total - 0

ABSENT

Barrow	Fannin	Smith, J.D.—50th
Dartez	McDonald	Tucker
Total - 6		

Page 30 HOUSE

20th Day's Proceedings - May 2, 2006

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Martiny moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 379—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 15:571.3(B) and Code of Criminal Procedure Article 880, relative to diminution of sentence for good behavior and credit for prior custody; to limit the amount of good time or credit earned per month for inmates serving consecutive sentences; and to provide for related matters.

Read by title.

Rep. Martiny moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrell
Alario	Frith	Morrish
Alexander	Gallot	Odinot
Ansardi	Geymann	Pierre
Arnold	Glover	Pinac
Badon	Gray	Pitre
Baldone	Greene	Powell, M.
Barrow	Guillory, E.	Powell, T.
Baudoin	Guillory, M.	Quezaire
Baylor	Hammett	Richmond
Beard	Harris	Ritchie
Bowler	Heaton	Robideaux
Bruce	Hebert	Romero
Bruneau	Hill	Scalise
Burns	Honey	Schneider
Burrell	Hopkins	Smiley
Carter, K.	Hunter	Smith, G.
Carter, R.	Hutter	Smith, J.D.—50th
Cazayoux	Jackson	Smith, J.H.—8th
Crane	Jefferson	Smith, J.R.—30th
Cravins	Katz	St. Germain
Crowe	Kennard	Strain
Curtis	Kenney	Thompson
Damico	Kleckley	Toomy
Daniel	LaBruzzo	Townsend
DeWitt	LaFleur	Trahan
Doerge	LaFonta	Triche
Dorsey	Lambert	Waddell
Dove	Lancaster	Walker
Downs	Marchand	Walsworth
Durand	Martiny	White
Erdey	McVea	Winston
Farrar	Montgomery	Wooton

Total - 99

NAYS

Total - 0

ABSENT

Dartez	Johns	Tucker
Fannin	McDonald	

Total - 5

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Martiny moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 381—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 15:574.20(A)(1) and (D), relative to medical parole; to provide for conditions for medical parole; to change conditions for eligibility for medical parole; to provide for applicability; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Martiny, the bill was returned to the calendar.

HOUSE BILL NO. 426—

BY REPRESENTATIVE WOOTON
AN ACT

To enact R.S. 27:326, relative to the Video Draw Poker Devices Control Law; to provide with respect to promoting and encouraging the play of video draw poker devices; to provide for a restriction on the offering of food or beverages free of charge; to provide for applicability; to limit the value of the promotion; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Wooton, the bill was returned to the calendar.

HOUSE BILL NO. 482—

BY REPRESENTATIVE GRAY
AN ACT

To enact R.S. 18:24(A)(6), relative to the powers, duties, and functions of the State Board of Election Supervisors; to provide for job performance evaluations of registrars of voters; to provide for policies and procedures; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Gray, the bill was returned to the calendar.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Gray gave notice of her intention to call House Bill No. 482 from the calendar for future action.

HOUSE BILL NO. 487—

BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 36:681(C)(1), 686(C)(2) and (E), 687, and 690 and to enact R.S. 36:686(A)(5) and 802.21, relative to the Department of Insurance; to provide with respect to the organization of the department and the agencies made a part of that department; to provide relative to the officers of the department; and to provide for related matters.

Read by title.

Rep. Karen Carter moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Morrell
Alario	Gallot	Morrish
Alexander	Geymann	Odinot
Arnold	Glover	Pierre
Badon	Gray	Pinac
Baldone	Greene	Pitre
Barrow	Guillory, E.	Powell, M.
Baudoin	Guillory, M.	Powell, T.
Baylor	Hammett	Quezaire
Beard	Harris	Richmond
Bowler	Heaton	Ritchie
Bruce	Hebert	Robideaux
Bruneau	Hill	Romero
Burns	Honey	Scalise
Burrell	Hopkins	Schneider
Carter, K.	Hunter	Smiley
Carter, R.	Hutter	Smith, G.
Cazayoux	Jackson	Smith, J.D.—50th
Crane	Jefferson	Smith, J.H.—8th
Cravins	Johns	Smith, J.R.—30th
Crowe	Katz	St. Germain
Curtis	Kennard	Strain
Damico	Kenney	Thompson
Daniel	Kleckley	Toomy
DeWitt	LaBruzzo	Townsend
Doerge	LaFleur	Trahan
Dorsey	LaFonta	Triche
Dove	Lambert	Waddell
Downs	Lancaster	Walker
Durand	Marchand	Walsworth
Erdey	Martiny	White
Farrar	McVea	Winston
Faucheux	Montgomery	Wooton
Total - 99		

NAYS

Total - 0

ABSENT

Ansardi	Fannin	Tucker
Dartez	McDonald	
Total - 5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Karen Carter moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

Acting Speaker Lambert in the Chair

HOUSE BILL NO. 641—

BY REPRESENTATIVES JEFFERSON, K. CARTER, AND GRAY
AN ACT

To enact R.S. 18:401.5, relative to early voting in certain temporary satellite voting locations; to allow registered voters of an area affected by a gubernatorially declared state of emergency to vote during early voting at certain temporary satellite voting locations for certain elections; to provide relative to the manner of conducting early voting in such locations; to require the

secretary of state to conduct such early voting; to provide relative to definitions; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Jefferson, the bill was returned to the calendar.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Jefferson gave notice of her intention to call House Bill No. 641 from the calendar for future action.

HOUSE BILL NO. 674—

BY REPRESENTATIVE WADDELL
AN ACT

To enact R.S. 18:1309.2, relative to a pilot program for early voting; to authorize the secretary of state to develop and implement a pilot program for the conduct of early voting in additional locations within certain parishes; to limit the number of parishes in which such pilot program may be implemented; to require the secretary of state, clerks of court, and the registrars of voters to work together to develop and implement the pilot program; to limit the time frame for and the number of elections at which the pilot program may be implemented; to require the approval of the pilot program by the House and Senate governmental affairs committees prior to implementation; to require the secretary of state to provide a report regarding the pilot program to the House and Senate governmental affairs committees; to provide for related matters.

Read by title.

Rep. Waddell moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Montgomery
Alario	Frith	Morrell
Ansardi	Gallot	Morrish
Arnold	Geymann	Odinot
Badon	Glover	Pierre
Baldone	Gray	Pinac
Barrow	Greene	Pitre
Baudoin	Guillory, E.	Powell, T.
Baylor	Guillory, M.	Quezaire
Bowler	Hammett	Richmond
Bruce	Harris	Ritchie
Bruneau	Heaton	Robideaux
Burns	Hebert	Romero
Burrell	Hill	Smith, G.
Carter, K.	Hopkins	Smith, J.D.—50th
Cazayoux	Hunter	Smith, J.H.—8th
Crane	Hutter	Smith, J.R.—30th
Cravins	Jackson	St. Germain
Crowe	Jefferson	Strain
Curtis	Johns	Thompson
Damico	Kennard	Toomy
Daniel	Kenney	Townsend
DeWitt	Kleckley	Trahan
Doerge	LaFleur	Triche
Dorsey	LaFonta	Waddell
Dove	Lambert	Walker
Downs	Lancaster	White

Page 32 HOUSE

20th Day's Proceedings - May 2, 2006

Durand
Erdey
Farrar
Total - 89

Marchand
Martiny
McVea

Winston
Wooton

NAYS

Alexander
Beard
Katz
Total - 8

Powell, M.
Scalise
Schneider

Smiley
Walsworth

ABSENT

Carter, R.
Dartez
Fannin
Total - 7

Honey
LaBruzzo
McDonald

Tucker

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Waddell moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 717—

BY REPRESENTATIVE SALTER

AN ACT

To enact R.S. 33:2737.79, to authorize the Sabine Parish School Board to levy and collect an additional sales and use tax; to provide for the maximum rate of the tax and for imposition and collection of the tax; to provide for the use of tax proceeds; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Salter moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker
Alario
Alexander
Ansardi
Arnold
Badon
Baldone
Barrow
Baudoin
Baylor
Beard
Bowler
Bruce
Bruneau
Burns
Burrell
Carter, K.
Carter, R.
Cazayoux
Crane
Cravins
Crowe
Curtis
Damico
Daniel
DeWitt
Doerge

Faucheux
Frith
Gallot
Geymann
Glover
Gray
Greene
Guillory, E.
Guillory, M.
Hammett
Harris
Heaton
Hebert
Hill
Honey
Hopkins
Hunter
Hutter
Jackson
Jefferson
Johns
Katz
Kennard
Kenney
Kleckley
LaBruzzo
LaFleur

Montgomery
Morrell
Morrish
Odinet
Pierre
Pinac
Pitre
Powell, M.
Powell, T.
Quezaire
Richmond
Ritchie
Robideaux
Romero
Smiley
Smith, G.
Smith, J.D.—50th
Smith, J.H.—8th
Smith, J.R.—30th
St. Germain
Strain
Thompson
Toomy
Townsend
Trahan
Triche
Walker

Dorsey
Dove
Downs
Durand
Erdey
Farrar
Total - 97

LaFonta
Lambert
Lancaster
Marchand
Martiny
McVea

Walsworth
White
Winston
Wooton

NAYS

Total - 0

ABSENT

Dartez
Fannin
McDonald
Total - 7

Scalise
Schneider
Tucker

Waddell

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Salter moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 763—

BY REPRESENTATIVE WADDELL

AN ACT

To amend and reenact R.S. 11:3714(B)(5)(a) and to repeal R.S. 11:3731(D), relative to the Police Pension Fund of the city of Shreveport; to provide for the composition of the board of trustees; and to provide for related matters.

Read by title.

Rep. Waddell moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker
Alario
Alexander
Ansardi
Arnold
Badon
Baldone
Barrow
Baudoin
Baylor
Beard
Bruce
Bruneau
Burns
Burrell
Carter, K.
Carter, R.
Cazayoux
Crane
Cravins
Crowe
Curtis
Damico
Daniel
DeWitt
Doerge
Dorsey
Dove

Frith
Gallot
Geymann
Glover
Gray
Greene
Guillory, E.
Guillory, M.
Hammett
Harris
Heaton
Hebert
Hill
Hunter
Hutter
Jackson
Jefferson
Johns
Katz
Kennard
Kenney
Kleckley
LaBruzzo
LaFleur
LaFonta
Lambert
Lancaster
Marchand

Odinet
Pierre
Pinac
Pitre
Powell, M.
Powell, T.
Quezaire
Richmond
Ritchie
Robideaux
Romero
Scalise
Schneider
Smiley
Smith, G.
Smith, J.D.—50th
Smith, J.H.—8th
Smith, J.R.—30th
St. Germain
Strain
Thompson
Toomy
Townsend
Trahan
Triche
Waddell
Walker
Walsworth

Downs	Martiny	White
Durand	McVea	Winston
Erdey	Montgomery	Wooton
Farrar	Morrell	
Faucheux	Morrish	
Total - 97		

NAYS

Total - 0

ABSENT

Bowler	Honey	Tucker
Dartez	Hopkins	
Fannin	McDonald	
Total - 7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Waddell moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 797—

BY REPRESENTATIVE K. CARTER

AN ACT

To amend and reenact R.S. 40:1241(A), relative to public market places; to provide for exemptions for permanent open-air public market buildings; to require the development of food service operational guidelines; and to provide for related matters.

Read by title.

Rep. Karen Carter sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative K. Carter to Engrossed House Bill No. 797 by Representative K. Carter

AMENDMENT NO. 1

On page 1, line 17, change "landlord" to "lessor"

AMENDMENT NO. 2

On page 1, line 20, change "tenants" to "lessees"

AMENDMENT NO. 3

On page 2, line 1, change "landlord" to "lessor"

AMENDMENT NO. 4

On page 2, line 2, change "tenants" to "lessees"

On motion of Rep. Karen Carter, the amendments were adopted.

Rep. Karen Carter moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrell
Alario	Frith	Morrish

Alexander
Ansardi
Arnold
Badon
Baldone
Barrow
Baudoin
Baylor
Beard
Bowler
Bruce
Bruneau
Burns
Burrell
Carter, K.
Carter, R.
Cazayoux
Crane
Cravins
Crowe
Curtis
Damico
Daniel
DeWitt
Doerge
Dorsey
Dove
Downs
Durand
Erdey
Farrar
Total - 99

Gallot
Geymann
Glover
Greene
Guillory, E.
Guillory, M.
Hammett
Harris
Heaton
Hebert
Hill
Honey
Hopkins
Hunter
Hutter
Jackson
Jefferson
Johns
Katz
Kennard
Kenney
Kleckley
LaBruzzo
LaFleur
LaFonta
Lambert
Lancaster
Marchand
Martiny
McVea
Montgomery

Odinet
Pierre
Pinac
Pitre
Powell, M.
Powell, T.
Quezaire
Richmond
Ritchie
Robideaux
Romero
Scalise
Schneider
Smiley
Smith, G.
Smith, J.D.—50th
Smith, J.H.—8th
Smith, J.R.—30th
St. Germain
Strain
Thompson
Toomy
Townsend
Trahan
Triche
Waddell
Walker
Walsworth
White
Winston
Wooton

NAYS

Total - 0

ABSENT

Dartez
Fannin
Total - 5

Gray
McDonald

Tucker

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Karen Carter moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 835—

BY REPRESENTATIVES JACK SMITH AND LAMBERT AND SENATORS MALONE AND MCPHERSON

AN ACT

To amend and reenact R.S. 34:851.36, relative to boating safety; to revise the penalties for violations of boating safety education requirements; and to provide for related matters.

Read by title.

Rep. Jack Smith moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker
Alario
Alexander
Arnold

Frith
Gallot
Geymann
Glover

Morrell
Morrish
Odinet
Pierre

Page 34 HOUSE

20th Day's Proceedings - May 2, 2006

Badon	Gray	Pinac
Baldone	Greene	Pitre
Barrow	Guillory, E.	Powell, M.
Baudoin	Guillory, M.	Powell, T.
Baylor	Hammett	Quezaire
Beard	Harris	Richmond
Bowler	Heaton	Ritchie
Bruce	Hebert	Robideaux
Bruneau	Hill	Romero
Burns	Honey	Scalise
Burrell	Hopkins	Schneider
Carter, K.	Hunter	Smiley
Carter, R.	Hutter	Smith, G.
Cazayoux	Jackson	Smith, J.D.—50th
Crane	Jefferson	Smith, J.H.—8th
Cravins	Johns	Smith, J.R.—30th
Crowe	Katz	St. Germain
Curtis	Kennard	Strain
Damico	Kenney	Thompson
Daniel	Kleckley	Toomy
DeWitt	LaBruzzo	Townsend
Doerge	LaFleur	Trahan
Dorsey	LaFonta	Triche
Dove	Lambert	Waddell
Downs	Lancaster	Walker
Durand	Marchand	Walsworth
Erdey	Martiny	White
Farrar	McVea	Winston
Faucheux	Montgomery	Wooton
Total - 99		

NAYS

Total - 0

ABSENT

Ansardi	Fannin	Tucker
Dartez	McDonald	
Total - 5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Jack Smith moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Speaker Salter in the Chair

HOUSE BILL NO. 836—

BY REPRESENTATIVES JACK SMITH, LAMBERT, AND ST. GERMAIN
AND SENATORS MALONE AND MCPHERSON
AN ACT

To amend and reenact R.S. 34:851.10(A) and (B), relative to the operation of vessels; to revise collision and accident report provisions; and to provide for related matters.

Read by title.

Rep. Jack Smith moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gray	Morrell
Ansardi	Greene	Odinet
Badon	Guillory, E.	Pierre
Barrow	Guillory, M.	Pinac

Baudoin	Harris	Pitre
Baylor	Heaton	Powell, M.
Beard	Hebert	Powell, T.
Bruce	Hill	Quezaire
Bruneau	Honey	Richmond
Burrell	Hopkins	Ritchie
Carter, K.	Hunter	Romero
Carter, R.	Hutter	Scalise
Cazayoux	Jackson	Schneider
Cravins	Jefferson	Smiley
Curtis	Johns	Smith, J.D.—50th
Damico	Katz	Smith, J.H.—8th
Daniel	Kennard	Smith, J.R.—30th
Doerge	Kenney	St. Germain
Dorsey	Kleckley	Strain
Dove	LaFleur	Thompson
Downs	LaFonta	Toomy
Durand	Lambert	Trahan
Faucheux	Lancaster	Triche
Frith	Marchand	Waddell
Gallot	Martiny	Walsworth
Geymann	McVea	White
Glover	Montgomery	Wooton
Total - 81		

NAYS

Alario	Crowe	Robideaux
Alexander	DeWitt	Smith, G.
Arnold	Erdey	Townsend
Baldone	Farrar	Walker
Bowler	Hammett	
Crane	Morrish	
Total - 16		

ABSENT

Burns	LaBruzzo	Winston
Dartez	McDonald	
Fannin	Tucker	
Total - 7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Jack Smith moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Crowe, and under a suspension of the rules, the above roll call was corrected to reflect him as voting nay.

HOUSE BILL NO. 909—

BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 18:104(A)(16)(introductory paragraph), 115(F)(2)(d)(ii), 132, 133(A), 401.3(D)(4), 425(B)(1), 426(A)(1), 434(B)(7), 441(B)(1), 533(A), 553(B)(1)(b) and (2), 571, 572(A)(1), 573(A)(2), 583(D)(1), 601, 654, 1309(B), 1313(F)(1), 1334(heading), 1351(12), 1353(C)(4), and 1355(12), (13), (14), (15), (16), and (17), to enact R.S. 18:18(D), 101.1, 104(G), 115(F)(2)(d)(iii), 152.3, 425(A)(4), 1308.3(C), 1314(F), and 1351(13), and to repeal R.S. 18:1353(C)(5) and 1355(18), relative to the election code; to make changes to the election code; to authorize the secretary of state to enter into certain agreements with other states; to provide for procedures for verification of registration information; to provide relative to the forms of identification an applicant may use when registering to vote; to require the registrar to verify that a displaced person applying to vote

absentee by mail has not registered in another jurisdiction; to provide relative to the offices and branch offices of the registrars of voters when an emergency has affected such office; to provide relative to the re-creation of destroyed records of the registrar; to provide relative to procedures for tabulating legislative ballots regarding the secretary of state's emergency plan; to authorize and provide for the use of additional commissioners from other parishes when a parish has a shortage due to an emergency; to provide relative to the requirements for the selection of commissioners; to provide relative to the requirements to have the political party designation of a candidate on the ballot; to provide for certification of polling places as handicapped accessible; to provide relative to the location of multiple precincts within a polling location; to specify when the filling of an anticipated vacancy is premature; to specify certain requirements for a notice of retirement or resignation to become effective; to provide for the beginning of legislative service for certain purposes; to remove references to voting machines, equipment, and paraphernalia no longer in use; and to provide for related matters.

Read by title.

Rep. Bruneau sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Bruneau to Engrossed House Bill No. 909 by Representative Bruneau

AMENDMENT NO. 1

On page 1, line 6, change "152.3," to "152.1,"

AMENDMENT NO. 2

On page 2, line 12, after "104(G)," and before "425(A)(4)," delete "152.3," and insert "115(F)(2)(d)(iii), 152.1,"

AMENDMENT NO. 3

On page 6, line 13, change "152.3," to "152.1,"

On motion of Rep. Bruneau, the amendments were adopted.

Rep. Bruneau moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Montgomery
Alario	Frith	Morrell
Alexander	Gallot	Morrish
Ansardi	Geymann	Odinot
Arnold	Glover	Pierre
Badon	Gray	Pinac
Baldone	Greene	Pitre
Barrow	Guillory, E.	Powell, M.
Baudoin	Guillory, M.	Powell, T.
Baylor	Hammett	Quezaire
Beard	Harris	Richmond
Bowler	Heaton	Ritchie
Bruce	Hebert	Robideaux
Bruneau	Hill	Romero
Burns	Honey	Scalise
Burrell	Hopkins	Schneider
Carter, K.	Hunter	Smiley

Carter, R.
Cazayoux
Crane
Cravins
Crowe
Curtis
Damico
Daniel
DeWitt
Doerge
Dorsey
Dove
Downs
Durand
Erdey
Farrar

Total - 99

Hutter
Jackson
Jefferson
Johns
Katz
Kennard
Kenney
Kleckley
LaBruzzo
LaFleur
LaFonta
Lambert
Lancaster
Marchand
Martiny
McVea

Smith, G.
Smith, J.D.-50th
Smith, J.H.-8th
Smith, J.R.-30th
St. Germain
Strain
Thompson
Toomy
Townsend
Trahan
Triche
Walker
Walsworth
White
Winston
Wooton

NAYS

Total - 0

ABSENT

Dartez
Fannin
Total - 5

McDonald
Tucker

Waddell

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Bruneau moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Jack Smith, the rules were suspended in order to take up and consider Petitions, Memorials and Communications at this time.

Petitions, Memorials and Communications

The following petitions, memorials, and communications were received and read:

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

May 2, 2006

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has concurred in the following House Concurrent Resolutions:

House Concurrent Resolution No. 15
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

HOUSE BILLS

May 2, 2006

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following House Bills:

House Bill No. 377
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS

May 2, 2006

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution No. 67

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

SENATE BILLS

May 2, 2006

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill Nos. 85, 141, 530, 685, 701, and 736

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Senate Bills and Joint Resolutions on First Reading

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

SENATE BILL NO. 85— BY SENATOR JONES

AN ACT

To enact R.S. 15:833.1, relative to persons in the custody of the Department of Public Safety and Corrections; to authorize the implementation of community resource centers for certain inmates to participate in disaster and emergency relief; to require the secretary to establish rules, regulations and

procedures for such centers; to provide for eligibility; and to provide for related matters.

Read by title.

SENATE BILL NO. 141—

BY SENATORS DUPLESSIS, BOASSO, QUINN AND SHEPHERD

A JOINT RESOLUTION

Proposing to amend Article VII, Section 24 of the Constitution of Louisiana, to provide for a single tax assessor in Orleans Parish; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

SENATE BILL NO. 530—

BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 17:3302(A), relative to the president of postsecondary systems; to remove any requirement for appointments of such presidents to be confirmed by the Board of Regents; and to provide for related matters.

Read by title.

SENATE BILL NO. 685—

BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 22:672 (A) and (C)(2) and to repeal R.S. 22:672(E), relative to insurance coverage for vehicle towing and storage; to prohibit an insurer from assuming legal title of a motor vehicle unless the insurer assumes any covered towing and storage charges which are owed pursuant to the insurance policy; and to provide for related matters.

Read by title.

SENATE BILL NO. 701—

BY SENATOR JONES

AN ACT

To enact R.S. 17:3981(6), relative to charter schools; to require the State Board of Elementary and Secondary Education to provide certain financial information upon the request of certain school systems; and to provide for related matters.

Read by title.

SENATE BILL NO. 736—

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 34:1221(A)(5), relative to the Greater Baton Rouge Port Commission; to provide for membership; and to provide for related matters.

Read by title.

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

May 2, 2006

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Concurrent Resolutions:

Senate Concurrent Resolution No. 56

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

The Senate Concurrent Resolutions contained herein were signed by the Speaker of the House.

Message from the Senate

SIGNED SENATE BILLS AND JOINT RESOLUTIONS

May 2, 2006

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Bills:

Senate Bill No. 337

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

The Senate Bills and Joint Resolutions contained herein were signed by the Speaker of the House.

Introduction of Resolutions, House and House Concurrent

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

HOUSE RESOLUTION NO. 50—

BY REPRESENTATIVES FAUCHEUX, QUEZAIRE, AND GARY SMITH
A RESOLUTION

To urge and request the Louisiana Department of Transportation and Development to construct a westbank expressway along Louisiana Highway 3127 between Baton Rouge and New Orleans in order to create an alternate escape route during hurricane evacuations.

Read by title.

On motion of Rep. Faucheux, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 51—

BY REPRESENTATIVE DORSEY
A RESOLUTION

To recognize May 4, 2006 as Together Rx Access Awareness Day.

Read by title.

On motion of Rep. Dorsey, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 52—

BY REPRESENTATIVE DORSEY

A RESOLUTION

To commend the members of the Council of Student Body Presidents for their outstanding accomplishments.

Read by title.

On motion of Rep. Dorsey, and under a suspension of the rules, the resolution was adopted.

HOUSE CONCURRENT RESOLUTION NO. 158—

BY REPRESENTATIVE FANNIN AND SENATOR KOSTELKA

A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to develop and implement a ten-year management plan for Caney Lake.

Read by title.

On motion of Rep. Fannin, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 159—

BY REPRESENTATIVES CRAVINS, BURRELL, AND PIERRE AND SENATORS CRAVINS, JONES, AND SHEPHERD

A CONCURRENT RESOLUTION

To commend Alpha Phi Alpha Fraternity, Incorporated upon the celebration of its one hundredth anniversary as an organization.

Read by title.

On motion of Rep. Cravins, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 160—

BY REPRESENTATIVES FAUCHEUX, QUEZAIRE, AND GARY SMITH

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Transportation and Development to construct a westbank expressway along Louisiana Highway 3127 between Baton Rouge and New Orleans in order to create an alternate escape route during hurricane evacuations.

Read by title.

On motion of Rep. Faucheux, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Appropriations

May 2, 2006

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Appropriations to submit the following report:

House Concurrent Resolution No. 155, by Salter
Reported with amendments. (11-0)

House Bill No. 345, by Cazayoux (Joint Resolution)

Page 38 HOUSE

20th Day's Proceedings - May 2, 2006

Reported with amendments. (11-0)

House Bill No. 403, by Alario
Reported favorably. (11-0) (Regular)

House Bill No. 406, by Daniel (Joint Resolution)
Reported favorably. (15-0)

House Bill No. 770, by DeWitt
Reported favorably. (12-0) (Regular)

House Bill No. 1075, by T. Powell
Reported with amendments. (15-0) (Regular)

JOHN A. ALARIO, JR.
Chairman

Suspension of the Rules

On motion of Rep. Alario, the rules were suspended in order to take up and consider House and House Concurrent Resolutions Reported by Committee at this time.

House and House Concurrent Resolutions Reported by Committee

The following House and House Concurrent Resolutions reported by committee were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 155— BY REPRESENTATIVES SALTER, DORSEY, AND ALARIO AND SENATORS HINES, BAJOE, AND HEITMEIER A CONCURRENT RESOLUTION

To approve The Road Home Housing Programs Action Plan Amendment for Disaster Recovery Funds proposed by the Louisiana Recovery Authority and approved by the governor, the Joint Legislative Committee on the Budget, the House Committee on Appropriations, and the Senate Committee on Finance; and to provide for other matters pertaining thereto.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Original House Concurrent Resolution No. 155 by Representative Salter

AMENDMENT NO. 1

On page 3, line 7, after "\$32,100,000" and after the semicolon ";" and before "state" delete "and"

AMENDMENT NO. 2

On page 3, at the end of line 7, after "and" insert "including administrative, planning, and technical assistance costs approved by the Joint Legislative Committee on the Budget at its meeting of March 17, 2006, but not included in the Action Plan submitted by the governor to the United States Department of Housing and Urban Development as authorized by Senate Concurrent Resolution No. 19; and"

AMENDMENT NO. 3

On page 4, line 6, after "\$32,100,000" and after the semicolon ";" and before "state" delete "and"

AMENDMENT NO. 4

On page 4, line 6, after "79,700,000" and after the comma "," insert "including administrative, planning, and technical assistance costs approved by the Joint Legislative Committee on the Budget at its meeting of March 17, 2006, but not included in the Action Plan submitted by the governor to the United States Department of Housing and Urban Development as authorized by Senate Concurrent Resolution No. 19,"

On motion of Rep. Alario, the amendments were adopted.

On motion of Rep. Alario, the resolution, as amended, was ordered, engrossed and passed to its third reading.

Report of the Committee on Civil Law and Procedure

May 2, 2006

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Civil Law and Procedure to submit the following report:

House Bill No. 133, by Martiny
Reported with amendments. (9-0) (Regular)

House Bill No. 412, by Johns
Reported favorably. (8-0) (Regular)

House Bill No. 414, by Baldone
Reported with amendments. (6-0) (Regular)

House Bill No. 462, by Hebert (Joint Resolution)
Reported with amendments. (10-0) (Regular)

House Bill No. 716, by Beard (Joint Resolution)
Reported with amendments. (6-0) (Regular)

Senate Bill No. 1, by McPherson
Reported with amendments. (6-4) (Regular)

GLENN ANSARDI
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

Report of the Committee on Commerce

May 2, 2006

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Commerce to submit the following report:

House Bill No. 152, by LaFonta
Reported with amendments. (12-0) (Regular)

House Bill No. 1189, by Ritchie
Reported favorably. (10-0) (Regular)

House Bill No. 1269, by Ritchie
Reported favorably. (16-0) (Regular)

House Bill No. 1270, by Ritchie
Reported favorably. (16-0) (Regular)

House Bill No. 1271, by Ritchie
Reported with amendments. (15-0) (Regular)

House Bill No. 1299, by Montgomery
Reported with amendments. (15-1) (Regular)

GIL J. PINAC
Chairman

Report of the Committee on Environment

May 2, 2006

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Environment to submit the following report:

House Bill No. 1210, by LaFonta
Reported favorably. (6-0) (Regular)

Senate Bill No. 209, by Fontenot
Reported with amendments. (6-0) (Regular)

Senate Bill No. 615, by Fontenot
Reported favorably. (4-0) (Regular)

N. J. DAMICO
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

**Report of the Committee on
Transportation, Highways and Public Works**

May 2, 2006

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Transportation, Highways and Public Works to submit the following report:

House Concurrent Resolution No. 132, by Katz
Reported with amendments. (10-0-1)

House Bill No. 299, by Daniel
Reported with amendments. (9-2-1) (Regular)

House Bill No. 367, by LaFonta
Reported favorably. (11-0-1) (Regular)

House Bill No. 1010, by G. Smith
Reported with amendments. (9-0-1) (Regular)

House Bill No. 1025, by Daniel
Reported favorably. (10-0-1) (Regular)

House Bill No. 1103, by Waddell
Reported with amendments. (11-0-1) (Regular)

House Bill No. 1170, by J.D. Smith
Reported favorably. (10-2-1) (Regular)

House Bill No. 1173, by Crowe
Reported with amendments. (10-0-1) (Regular)

House Bill No. 1204, by Quezaire
Reported with amendments. (9-0-1) (Regular)

House Bill No. 1212, by LaFonta
Reported with amendments. (11-0-1) (Regular)

House Bill No. 1282, by Schneider
Reported with amendments. (11-0-1) (Regular)

House Bill No. 1308, by Kennard
Reported favorably. (10-0-1) (Regular)

ROY QUEZAIRE
Chairman

Report of the Committee on Ways and Means

May 2, 2006

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Ways and Means to submit the following report:

House Bill No. 1202, by LaFleur
Reported with amendments. (11-0) (Regular)

House Bill No. 1240, by Frith
Reported favorably. (12-0) (Regular)

House Bill No. 1293, by Jack Smith
Reported favorably. (11-0) (Regular)

House Bill No. 1322, by Downs
Reported favorably. (12-0) (Regular)

BRYANT O. HAMMETT, JR.
Chairman

Privileged Report of the Legislative Bureau

May 2, 2006

To the Speaker and Members of the House of Representatives:

I am directed by your Legislative Bureau to submit the following report:

Senate Bill No. 251
Reported without amendments.

Senate Bill No. 388
Reported without amendments.

Senate Bill No. 448
Reported without amendments.

Senate Bill No. 636
Reported without amendments.

Respectfully submitted,
CHARLES MCDONALD
Chairman

Privileged Report of the Committee on Enrollment

May 2, 2006

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Resolutions have been properly enrolled:

Page 40 HOUSE

20th Day's Proceedings - May 2, 2006

HOUSE RESOLUTION NO. 47—

BY REPRESENTATIVE M. GUILLORY

A RESOLUTION

To commend Becky Jones, who is bicycling from Indiana to Eunice, Louisiana, to raise money to benefit evacuees of Hurricanes Katrina and Rita.

HOUSE RESOLUTION NO. 48—

BY REPRESENTATIVES ALARIO AND DAMICO

A RESOLUTION

To urge and request the office of conservation and the Department of Environmental Quality to give the proper consideration and weight to public comments received concerning permit applications by River Birch Landfill and, as much as practical, to incorporate suggestions and address concerns contained in such comments into any permit issued.

HOUSE RESOLUTION NO. 49—

BY REPRESENTATIVE BURNS

A RESOLUTION

To urge and request the Governor's Office of Homeland Security and Emergency Preparedness to report to the House Committee on the Judiciary on the status of the development of an emergency plan where communications become inoperable during a time of disaster or emergency.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Resolutions contained in the report were signed by the Speaker of the House and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Privileged Report of the Committee on Enrollment

May 2, 2006

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 137—

BY REPRESENTATIVE DOVE

A CONCURRENT RESOLUTION

To urge and request the Department of Natural Resources to operate the Mississippi River freshwater diversions structures at as close to maximum capacity as is possible.

HOUSE CONCURRENT RESOLUTION NO. 138—

BY REPRESENTATIVE ODINET AND SENATOR BOASSO

A CONCURRENT RESOLUTION

To urge and request the Federal Emergency Management Agency (FEMA) to recognize the North American Vertical Datum of 1988 (NAVD88) as the official vertical datum for the United States, in particular for the state of Louisiana, and to provide funding to assist the state in conducting the new surveys.

HOUSE CONCURRENT RESOLUTION NO. 139—

BY REPRESENTATIVE GALLOT

A CONCURRENT RESOLUTION

To commend Richard "Ricky" Thurman Sanders of Homer upon his outstanding accomplishments.

HOUSE CONCURRENT RESOLUTION NO. 140—

BY REPRESENTATIVES KLECKLEY, FRITH, GEYMAN, E. GUILLORY, HILL, JOHNS, AND MORRISH AND SENATORS CAIN, MOUNT, THEUNISSEN, ADLEY, AMEDEE, BAJOE, BARHAM, BOASSO, BROOME, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, AND ULLO

A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the death of Jesse Knowles of Lake Charles, former member of both the House of Representatives and the Senate.

HOUSE CONCURRENT RESOLUTION NO. 144—

BY REPRESENTATIVES WALSWORTH, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMAN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, McDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WHITE, WINSTON, AND WOOTON

A CONCURRENT RESOLUTION

To commend CenturyTel of Monroe for being ranked as the third largest Louisiana business by Fortune Magazine.

HOUSE CONCURRENT RESOLUTION NO. 145—

BY REPRESENTATIVES THOMPSON, DOWNS, FANNIN, HUNTER, KATZ, McDONALD, WALSWORTH, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DURAND, ERDEY, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMAN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUTTER, JACKSON, JEFFERSON, JOHNS, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WHITE, WINSTON, AND WOOTON

A CONCURRENT RESOLUTION

To commend the University of Louisiana at Monroe upon the celebrated occasion of its seventy-fifth anniversary.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Concurrent Resolutions contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk of the House and were signed by the President of the Senate and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Privileged Report of the Committee on Enrollment

May 2, 2006

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Bills have been properly enrolled:

HOUSE BILL NO. 65—

BY REPRESENTATIVES FANNIN, MCDONALD, AND WALSWORTH
AN ACT

To amend and reenact R.S. 38:3087.134(F), relative to the Sparta Groundwater Conservation District; to prohibit the discharge of duties as a commissioner upon expiration of the term of office; and to provide for related matters.

HOUSE BILL NO. 73—

BY REPRESENTATIVE JANE SMITH AND SENATORS B. GAUTREAUX, JACKSON, AND MOUNT
AN ACT

To amend and reenact Code of Criminal Procedure Article 499(A), relative to court-ordered AIDS testing for persons charged with a sex offense; to provide for testing pursuant to court order; to expand the definition of sex offenses warranting AIDS testing; and to provide for related matters.

HOUSE BILL NO. 80—

BY REPRESENTATIVES KLECKLEY, BEARD, THOMPSON, AND TRICHE
AN ACT

To amend and reenact R.S. 15:544, relative to sex offender registration; to provide that the duty to register and provide notice for conviction of a sex offense extends for ten years following release from incarceration for any offense; and to provide for related matters.

HOUSE BILL NO. 147—

BY REPRESENTATIVES MARTINY AND TOOMY
AN ACT

To amend and reenact R.S. 15:255(E)(1), (2), and (3), relative to witness fees for off-duty law enforcement officers; to provide for the payment of witness fees for off-duty law enforcement officers appearing in mayor's courts; to provide for a maximum amount that may be assessed in an individual case; and to provide for related matters.

HOUSE BILL NO. 171—

BY REPRESENTATIVES KLECKLEY, ARNOLD, BADON, BALDONE, BAYLOR, BURNS, BURRELL, CAZAYOUX, CRANE, CRAVINS, CURTIS, DAMICO, DANIEL, DARTEZ, DORSEY, DOVE, DURAND, ERDEY, FANNIN, FARRAR, FRITH, GEYMAN, GLOVER, HARRIS, HEATON, HEBERT, HILL, HOPKINS, HUTTER, JACKSON, JOHNS, LABRUZZO, MCDONALD, MCVEA, MONTGOMERY, T. POWELL, RITCHIE, ROMERO, SCALISE, SCHNEIDER, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, AND WOOTON
AN ACT

To enact R.S. 15:574.4(S), relative to parole; to provide with respect to parole of sex offenders in certain cases; to provide for the approval of a residence plan of sex offenders prior to the granting of parole; to provide for definitions; and to provide for related matters.

HOUSE BILL NO. 179—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 49:191(3) and to repeal R.S. 49:191(1)(j), relative to the Department of Public Safety and Corrections, including provisions to provide for the re-creation of the Department of Public Safety and Corrections and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

HOUSE BILL NO. 368—

BY REPRESENTATIVE DAMICO
AN ACT

To amend and reenact R.S. 38:3097.3(C)(4)(b)(i) and (ii), relative to ground water management; to provide for critical areas of ground water concern; to provide for the powers and duties of the commissioner of conservation; and to provide for related matters.

HOUSE BILL NO. 372—

BY REPRESENTATIVE DAMICO
AN ACT

To amend and reenact R.S. 38:3097.4(C), relative to the Ground Water Resources Commission; to provide for meetings held by the commission; and to provide for related matters.

HOUSE BILL NO. 378—

BY REPRESENTATIVES MARTINY AND DORSEY
AN ACT

To amend and reenact R.S. 15:570(D)(2), relative to executions; to provide for victim witnesses to an execution under certain circumstances; and to provide for related matters.

HOUSE BILL NO. 392—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 49:191(3) and to repeal R.S. 49:191(1)(m), relative to the Department of Revenue; to provide for the re-creation of the Department of Revenue and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

HOUSE BILL NO. 395—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 47:118(I)(introductory paragraph), relative to the state income tax; to change the deadline for the application for waiver of penalty for underpayment of estimated tax; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 396—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 47:1562(A), 1563, and 1564, relative to assessment of tax, penalty, and interest; to provide the time period from the date of the notice of tax due to protest proposed assessment; to provide for assessment of tax, interest, and penalties; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 469—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 40:2266.3, relative to criminalistics laboratories; to authorize the criminalistics laboratory operated by the sheriff of St. Tammany Parish to operate as a criminalistics laboratory commission, including the optional collection of costs in criminal cases; and to provide for related matters.

HOUSE BILL NO. 561—

BY REPRESENTATIVES JANE SMITH, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BAYLOR, BEARD, BRUCE, BRUNEAU, BURNS, BURRELL, R. CARTER, CAZAYOUX, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FAUCHEUX, FRITH, GEYMAN, GLOVER, GREENE, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HONEY, HUTTER, JOHNS, KATZ, KENNEY, KLECKLEY, LABRUZZO, LAMBERT, LANCASTER, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINET, PINAC, M. POWELL, T. POWELL, QUEZAIRE, RITCHIE, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JOHN

Page 42 HOUSE

20th Day's Proceedings - May 2, 2006

SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, AND WOOTON AND SENATORS B. GAUTREAUX AND MOUNT

AN ACT

To amend and reenact R.S. 14:81.2(C) and (D)(1) and to repeal R.S. 14:81.2(D)(4), relative to molestation of a juvenile; to provide relative to the criminal penalties for molestation of a juvenile in certain circumstances; and to provide for related matters.

HOUSE BILL NO. 569—

BY REPRESENTATIVES MONTGOMERY AND THOMPSON

AN ACT

To amend and reenact R.S. 47:633(7)(b) and (c)(i)(aa), relative to the severance tax on oil; to extend the time allowed for the reduced rate certifications on incapable and stripper wells; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 631—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 40:2822(7), relative to the Drinking Water Revolving Loan Fund Act; to provide for definitions; to provide for authority to conduct environmental reviews of certain public water systems; and to provide for related matters.

HOUSE BILL NO. 882—

BY REPRESENTATIVES CRAVINS, BALDONE, BRUCE, BURRELL, CAZAYOUX, LAFLEUR, MARTINY, JANE SMITH, WHITE, WOOTON, ALEXANDER, ARNOLD, BARROW, BAYLOR, BEARD, R. CARTER, CURTIS, DANIEL, DARTEZ, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, JOHNS, KATZ, KENNEY, LAFONTA, LANCASTER, MCDONALD, MCVEA, MORRELL, ODINET, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SCALISE, SCHNEIDER, GARY SMITH, JACK SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOWNSEND, TRICHE, WADDELL, WALKER, AND WALSWORTH AND SENATORS B. GAUTREAUX AND MOUNT

AN ACT

To enact R.S. 14:91.2, relative to offenses affecting general morality; to create the crime of unlawful residence or presence of a sex offender; to provide for penalties; to provide for definitions; to provide for exceptions; to provide for applicability; and to provide for related matters.

HOUSE BILL NO. 1128—

BY REPRESENTATIVE STRAIN AND SENATOR NEVERS

AN ACT

To amend and reenact R.S. 47:301(16)(f), relative to the registration of pharmaceuticals with the Department of Agriculture and Forestry; to prohibit certain pharmaceuticals and vaccines from being classified or registered as pesticides; to provide relative to sales tax exempt pharmaceuticals; and to provide for related matters.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Bills contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk and were signed by the President of the Senate and taken by the Clerk of the House to the Governor for executive approval.

Suspension of the Rules

On motion of Rep. Lancaster, the rules were suspended to permit the Committee on House and Governmental Affairs to consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill No. 606

Suspension of the Rules

On motion of Rep. Toomy, the rules were suspended to permit the Committee on Judiciary to meet upon adjournment on Wednesday, May 3, 2006.

Suspension of the Rules

On motion of Rep. Baylor, the rules were suspended to permit the Committee on Municipal, Parochial and Cultural Affairs to meet upon adjournment on Wednesday, May 3, 2006.

Leave of Absence

Rep. Dartez - 2 days

Rep. Tucker - 1 day

Adjournment

On motion of Rep. Kenney, at 6:47 P.M., the House agreed to adjourn until Wednesday, May 3, 2006, at 2:00 P.M.

The Speaker of the House declared the House adjourned until 2:00 P.M., Wednesday, May 3, 2006.

ALFRED W. SPEER
Clerk of the House

COMMITTEE MEETING NOTICES

Committee on Administration of Criminal Justice

Will meet at: 9:00 A.M. Date: May 3, 2006

Location: Committee Room 6

HCR 5 GRAY JUVENILES Requests the House Committee on Criminal Justice and Senate Judiciary B to study issues related to juvenile competency

HB 78 GRAY JUVENILES/JURISDICTION Provides for criminal and juvenile court jurisdiction over children

HB 503 GRAY JUVENILE PROCEDURE Provides for the determination of mental capacity of children to stand trial

HB 536 RICHMOND PARDON/PAROLE Allows second or third felony nonviolent offenders with moderate or low risk assessment to be eligible for parole consideration after serving one-third of their sentences

HB 544 RICHMOND PARDON/PAROLE Reduces the percentage of sentence certain persons must serve before being eligible for parole

HB 558 RICHMOND CRIMINAL/SENTENCING Revises penalties for prisoners serving a life sentence for heroin

HB 733 CAZAYOUX CHILDRENS CODE Amends provisions regarding central registry for children in need of care

HB 889 TOWNSEND GAMBLING/CHARITABLE Transfers the regulation of charitable gaming from the office of charitable gaming control Department of Revenue to the Louisiana Gaming Control Board

HB 955 RICHMOND CRIMINAL/PROCEDURE Provides for educational opportunities for state inmates housed in private or parish jail facilities

HB 995 GRAY CRIMINAL/BUREAU CRIML ID Provides with respect to criminal background checks for certain agencies

HB 1142 GRAY PARDON/PAROLE Provides for parole eligibility for any person prosecuted as an adult and who was a juvenile at the time offense was committed

HB 1201 HONEY CRIMINAL/RECORDS Adds crimes of video voyeurism, voyeurism, and peeping Tom to those offenses available for background checks for persons working with children

HB 1258 KLECKLEY CRIME/RAPE Provides for available responsive verdicts for the crime of aggravated rape and responsive verdicts for the crime of aggravated rape of a child under the age of thirteen

HB 1315 MARTINY GAMBLING/CHARITABLE Provides with respect to the operation of electronic video bingo machines

DANIEL R. MARTINY
Chairman

Committee on Education

Will meet at: 9:00 A.M. Date: May 3, 2006

Location: Committee Room 1

HB 310 TUCKER EDUCATION ACCOUNTABILITY Repeals certain provisions of law relative to school and district accountability and public school systems academically in crisis

HB 1233 SMITH, JOHN SCHOOLS/CHARTER Provides relative to the enrollment of at-risk students at a charter school that predominantly enrolls pupils who are the dependant children of military personnel

- To receive and discuss information from the State Board of Elementary and Secondary Education and the state Department of Education relative to the minimum foundation program formula for FY 2006-2007 adopted by the board on March 14, 2006, and submitted to the legislature for its consideration.

CARL CRANE
Chairman

Committee on Health and Welfare

Will meet at: 9:30 A.M. Date: May 3, 2006

Location: Committee Room 5

HB 430 JEFFERSON HEALTH SERVICES Provides with respect to the Metropolitan Human Services District

HB 473 WINSTON HUMAN SERVICES Provides with respect to domicile of the Florida Parishes Human Services Authority

HB 663 LAMBERT MENTAL HEALTH Repeals the moratorium on the licensure of mental health clinics

HB 875 TOWNSEND SANITARY CODE Provides relative to retail food establishments

HB 896 WALSWORTH PHYSICIANS Provides for physician discounts for rendered health care services

HB 897 MCDONALD HOSPITALS Allows a hospital to operate an ambulance service solely to transport its own patients between parts of its own campus under certain circumstances

HB 1243 FARRAR ELDERLY Creates a Silver Alert system for missing senior citizens

HB 1247 DEWITT HEALTH CARE/FACILITIES Provides relative to audits of Medicaid cost reports for intermediate care facilities for the mentally retarded

HB 1254 DURAND HEALTH CARE Changes the membership of the Louisiana Emergency Response Network Board

HB 1324 RICHMOND HEALTH Requires automatic external defibrillators in primary offices of municipal governing authorities and certain hotels

SYDNIE MAE DURAND
Chairman

Committee on House and Governmental Affairs

Will meet at: 9:30 A.M. Date: May 3, 2006

Location: Committee Room 2

HCR 69 BURRELL PROPERTY/IMMOVABLE Directs the Louisiana State Law Institute to study tax sales in order to insure merchantable title of tax adjudicated properties

HB 331 FRITH ELECTION DAYS Limits the dates for holding bond, tax, and other proposition elections to dates when there is a regularly scheduled statewide election

HB 428 TUCKER STATE OFFICIALS (Constitutional Amendment) Establishes term limits for statewide elected officials

HB 675 MCVEA ETHICS/NEPOTISM Allows an immediate family member of a school board member or of a superintendent to be promoted to certain administrative positions if such family member has the appropriate qualifications and certifications for such a position

HB 1203 LAFLEUR ETHICS Excludes pharmaceutical samples, medical devices, medical foods, and infant formula accepted by a physician or health care professional to be used for the benefit of a patient from the definition of "thing of economic value" for purposes of the ethics code

HB 1205 ST. GERMAIN ETHICS Changes the amount of contributions or donations that a public employee who was affected by a disaster or emergency may accept from certain not-for-profit organizations or funds within certain not-for-profit organizations

HB 1236 WALSWORTH ETHICS Prohibits an elected official or member of his immediate family or entity in which any of them have a substantial economic interest from seeking or entering into any contracts arising from a gubernatorially or presidentially declared disaster

Page 44 HOUSE

20th Day's Proceedings - May 2, 2006

HB 1239 WALKER ETHICS Provides for planning and zoning commission members in parishes with a population of less than 50,000 to recuse themselves

HB 1044 HARRIS CAMPAIGN FINANCE Provides for a thirty day extension on campaign finance reports if the candidate is on active military duty

HB 1176 POWELL, T. INSURERS Prohibits certain campaign contributions made to candidates seeking the office of the commissioner of insurance

HB 1197 HEBERT CAMPAIGN FINANCE Limits the amount a candidate may loan to his own campaign

HB 461 HEBERT LEGISLATIVE SESSIONS (Constitutional Amendment) Changes the day regular sessions of the legislature convene

HB 853 LAFONTA DISCRIMINATION Prohibits discrimination and harassment in state government

HB 1317 GLOVER BOARDS/COMMISSIONS Provides that no person who is appointed to a board or commission by the governor shall serve in such position for more than two consecutive terms

HB 606 LAMBERT (TBA) ADMINISTRATION Requires the commissioner of administration to review the scope and number of publications produced by or at the direction of state agencies and make periodic reports to the legislature regarding reduction in the number of such publications
(Subject to Rules Suspension)

CHARLES D. LANCASTER, JR.
Chairman

Committee on Insurance

Will meet at: 9:00 A.M. Date: May 3, 2006

Location: Committee Room 3

Presentation on rate increases recently approved by the Louisiana Insurance Rating Commission.

HB 518 FARRAR INSURANCE COMMISSIONER Provides for fees for the licensing of claims adjusters

HB 550 BOWLER INSURERS Revises the definition of insolvency for purposes of certain provisions of the Insurance Code

HB 585 CARTER, K. INSURANCE/HEALTH Provides relative to group health insurance coverage of a dependent child previously enrolled in a Medicaid program

HB 650 JEFFERSON INSURANCE CLAIMS Provides for time limit to initiate loss adjustment of insurance claims

HB 792 CARTER, K. INSURANCE/HEALTH Provides for a grace period and a lapse notice prior to cancellation for failure to pay premiums or prepaid charges

HB 1056 FARRAR INSURANCE CLAIMS-ADJUSTR Provides for the qualification and licensing claims of adjusters

HB 1115 MORRELL INSURANCE/RATING COMM Abolishes the Insurance Rating Commission and transfers its functions to the commissioner of insurance

HB 1289 MORRELL PRESCRIPTION Provides with respect to the time within which certain insurance claims arising from Hurricane Katrina or Rita must be filed

KAREN CARTER
Chair

Committee on Judiciary

Will meet at: UPON ADJOURNMENT Date: May 3, 2006

Location: Committee Room 1

HB 7 MCDONALD ALCOHOLIC BEVERAGES Exempts a specific ward in Bastrop, Morehouse Parish, from taking on the "wet" characteristics of the area into which it was merged

HB 21 LAFLEUR CRIME/SEX OFFENSES Extends reporting deadlines of the La. Sexual Assault Task Force

HB 24 HUNTER ALCOHOLIC BEVERAGES Includes correctional facilities in the location ban on selling alcohol

HB 92 DANIEL COURTS Increases recordation fees imposed to defray costs of 19th JDC courthouse

HB 98 TOWNSEND ALCOHOLIC BEVERAGES Requires the granting of a special permit to sell alcohol to the convention center located in the city of Natchitoches

HB 126 TOOMY JUDGES Provides for the compensation of judges

HB 297 FAUCHEUX ALCOHOLIC BEVERAGES Provides for an exception to the distance restrictions on obtaining an alcoholic beverage permit

HB 350 POWELL, M. CLERKS OF COURT Requires the clerk of court for the First Judicial District Court to be ex officio clerk of court for the Juvenile Court for Caddo Parish

HB 351 POWELL, M. COURTS/JUVENILE Establishes a judicial expense fund for the juvenile court of Caddo Parish

HB 359 POWELL, M. RETIREMENT/JUDGES - CT OFF Authorizes local government or other funds available to the judiciary to be used to pay the retirement contribution for judges

HB 633 TOWNSEND ALCOHOLIC BEVERAGE PERMT Provides for qualifications of applicants for permits

HB 872 TOWNSEND ALCOHOLIC BEVERAGES Prohibits retail outlets from participating in certain promotional practices

HB 941 ARNOLD RECORDS/RECORDATION Requires certain certifications prior to the recordation of conveyances in Orleans Parish

HB 1009 TOOMY ALCOHOLIC BEVERAGES Provides relative to wine producers

HB 1096 LAFLEUR CLERKS OF COURT Provides that a clerk of court who has served as a clerk of court for a specified time period shall be deemed certified for certain purposes

HB 1311 TOWNSEND ALCOHOLIC BEVERAGE PERMIT
Provides for the creation of an alcoholic beverage Class C Permit

JOSEPH F. TOOMY
Chairman

Committee on Municipal, Parochial and Cultural Affairs

Will meet at: UPON ADJOURNMENT Date: May 3, 2006

Location: Committee Room 6

HB 16 ANSARDI LOCAL FINANCE/BUDGET ACT
Provides relative to the Louisiana Local Government Budget Act

HB 38 CARTER, R. LOCAL OFFL/POLICE CHIEFS
Authorizes the police chief of the city of Amite City to effect certain disciplinary actions relative to police personnel

HB 39 CARTER, R. TAX/SALES-USE, LOCAL Authorizes the parish of St. Helena to levy and collect an additional sales and use tax

HB 207 JOHNS INDUSTRIAL DEVELOPMENT/BDS
Provides relative to the membership of the board of directors of the Industrial Development Board of the Town of Vinton, Inc.

HB 466 SMITH, JACK DISTRICTS/DOWNTOWN DEVEL
Provides for recognition of the Franklin Downtown Development District as a downtown development district

HB 470 DOERGE TAX/HOTEL OCCUPANCY Increases the maximum rate of hotel occupancy tax authorized to be levied by the Webster Parish Convention and Visitors Commission

HB 474 ERDEY LOCAL OFFL/POLICE CHIEFS Authorizes the police chief of the town of Livingston to effect certain disciplinary actions relative to police personnel

HB 492 HAMMETT DISTRICTS/SEWERAGE Increases the maximum per diem authorized to be paid to the governing board members of the Concordia Parish Sewerage District No. 1

HB 493 WOOTON DISTRICTS/SPECIAL Provides relative to the Plaquemines Parish Courthouse District

HB 529 WALKER PARISH/AVOYELLES Authorizes the governing authority of Avoyelles Parish to establish and collect, subject to voter approval, a mosquito abatement service charge or rates of service charges

HB 625 SMITH, JOHN TOURISM/COMMISSION Changes the name of the West Louisiana Tourist Development Region to Five Parishes West and changes the parishes comprising the region

HB 744 BRUNEAU PARKS Relative to New Orleans City Park, provides that the New Orleans City Park Improvement Association and its board of commissioners shall be policy-making agencies within the Department of Culture, Recreation and Tourism, provides for certain other specified powers, and makes the department secretary a board member

HB 751 GRAY PLANNING/ZONING (Constitutional Amendment) Requires land use and zoning regulations to include provisions for inclusionary zoning for affordable housing

HB 764 FRITH LIBRARIES Transfers the administration and accounting of funds of the Vermilion Parish Library from the Vermilion Parish Policy Jury to the Vermilion Parish Library Board of Control

HB 912 FRITH FIRE PROTECT/FIREMEN Provides for minimum volunteer fireman training requirements

HB 915 HONEY CIVIL SERVICE/FIRE & POL Provides for benefits for employees in classified fire service who suffer certain hearing loss

HB 974 GRAY PLANNING/ZONING Authorizes and requires municipalities and parishes with land use or zoning ordinances or regulations to provide for inclusionary zoning for affordable housing

HB 1063 TOOMY GAMBLING/REVENUES Provides with respect to the allocation of the portion of the riverboat admission fee levied by Jefferson Parish

HB 1168 SMITH, JACK SUPPLEMENTAL PAY Provides relative to additional compensation authorized to be paid to certain firemen and law enforcement officers

HB 1230 HILL TAX/LOCAL Authorizes the governing authority of Allen Parish to levy and collect an additional hotel occupancy tax

HB 1320 GLOVER TAX/SALES-USE, LOCAL Authorizes the governing authority of certain municipalities to levy and collect an additional sales and use tax subject to voter approval

ERNEST BAYLOR, JR.
Chairman

Committee on Natural Resources

Will meet at: 9:30 A.M. Date: May 3, 2006

Location: Committee Room 4

HB 85 POWELL, T. WILDLIFE & FISHERIES Provides with respect to the appointment of the Crab Task Force

HB 838 ST. GERMAIN WILDLIFE/RESOURCES Relative to invasive, noxious aquatic plants designation and prohibitions

HB 839 ST. GERMAIN FISHING/CRABS Eliminates the special license to shed soft shell crabs

HB 1068 THOMPSON WILDLIFE & FISHERIES Provides relative to the labeling of catfish packaging

HB 1145 SMITH, JACK FISHING/CRAWFISH Provides relative to voluntary tagging of crawfish traps

HB 1161 ST. GERMAIN FISHING/COMMERCIAL Authorizes night fishing for shad in Lake Verret and Lake Palourde

HB 1242 BALDONE FISHING/SHRIMP Allows stationary shrimp nets within one thousand feet of each other if the nets are on opposite banks of the waterway

Page 46 HOUSE

20th Day's Proceedings - May 2, 2006

SB 162 ELLINGTON FISH/FISHING Repeals provision that a wire net shall only be used for the taking of legal sized catfish.

SB 553 ELLINGTON WILDLIFE/FISHERIES DEPT
Provides for labeling of catfish packaging.

WILFRED PIERRE
Chairman